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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
PACIFIC NORTHWEST AREA—Part 7 (SEATTLE)

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
SECOND SESSION

JUNE 18, 1954

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America, in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpoenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83^d CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

(b) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time, investigations of (1) the extent, character, and objects of un-American propaganda activities in the United States, (2) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (3) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE PACIFIC NORTHWEST AREA—Part 7 (SEATTLE)

FRIDAY, JUNE 18, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Seattle, Wash.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9 a. m., in room 402, County-City Building, Seattle, Wash., Hon. Donald L. Jackson (chairman) presiding.

Committee members present: Representatives Donald L. Jackson, Gordon H. Scherer, and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, staff investigator; and Thomas W. Beale, clerk.

Mr. JACKSON. The committee will be in order.

The Chair would like to make an announcement at this time to the effect that due to the heavy schedule and the fact that a number of important witnesses have not been heard up to this time the committee will be in session tomorrow, Saturday, from 9 a. m. until 5 o'clock in the afternoon.

Are you ready to proceed, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Mr. JACKSON. Very well. Call your first witness.

(Whereupon the committee proceeded to hear further testimony of Barbara Hartle, which is printed in Part 3 of this title, after which, the committee proceeded as follows:)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Eugene V. Dennett.

FURTHER TESTIMONY OF EUGENE V. DENNETT, ACCOMPANIED BY COUNSEL, KENNETH A. MacDONALD

Mr. JACKSON. Will you raise your right hand and be sworn, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. DENNETT. I will.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. Mr. Chairman, Mr. Dennett, accompanied by his counsel, talked with me this morning before entering the hearing room. He desires to appear again before the committee, and I think I should let him say just what his purpose in appearing is.

Mr. JACKSON. Very well.

Mr. DENNETT. Mr. Chairman and members of the committee, I have observed very carefully the public reaction to my prior appearance. I am not satisfied that the public has gotten a clear enough picture of the situation, and it is especially confusing to the members of my own organization, the United Steelworkers of America, Local 1208. As a consequence, they have taken some actions which I think are ill advised, largely because they do not know the story. And I believe the only way that the story can be told is here.

Mr. JACKSON. May I interrupt you at this point?

Mr. DENNETT. Yes, sir.

Mr. JACKSON. You refer to telling a story.

Mr. DENNETT. Yes, sir.

Mr. JACKSON. By that do you mean that you are willing to answer all questions that this committee may propound to you with reference to your alleged Communist Party activities in the past?

Mr. DENNETT. Yes, sir.

Mr. JACKSON. By that do you mean that you will answer under oath, and not by pleading the fifth amendment, as to your full knowledge of the matters which the committee desires to inquire about?

Mr. DENNETT. Yes, sir. I think that in that connection it should be made known that I did have some doubts in my mind in my earlier appearance as to the use of the fifth amendment. I want it to be clearly understood that it is my distinct understanding, with advice of counsel and others, that the fifth amendment is a very proper instrument for people to use, but I think that in my particular case, after going over the situation very carefully with my counsel, I find that there is no point in the testimony or in the evidence that I would be able to give in an appearance here which necessitates my invoking the fifth amendment any further. I think that we were acting according to the best knowledge that existed between counsel and myself at the time, but since then I have gone over it more carefully and more fully with counsel and counsel has advised me that he sees no reason why it should be necessary to do so.

Mr. JACKSON. Mr. Counsel, may the record show affirmatively that at no time during the previous interrogation of the witness was his right to take the provisions of the fifth amendment questioned in any way. I think it should be affirmatively in the record that his right was reserved in that respect and that the decision to so use the fifth amendment was the decision arrived at by the witness.

Mr. DENNETT. Yes, sir.

Mr. JACKSON. With no compulsion on either side by the committee.

Mr. TAVENNER. I want to ask you a few preliminary questions before you testify further.

From your experience in the Communist Party, were you in a position to have firsthand knowledge of the strategy used by the Communist Party in this particular area in the promotion of its own interests?

Mr. DENNETT. Yes, sir.

Mr. TAVENNER. Were you in a position to know and become personally acquainted with the leadership of the Communist Party in this area?

Mr. DENNETT. Yes, sir.

Mr. TAVENNER. Did you attend fraction meetings of the Communist Party and branch meetings of the Communist Party and therefrom acquire knowledge as to the membership of the Communist Party?

(At this point Mr. Jackson left the hearing room.)

Mr. DENNETT. I certainly did those things. My memory is very poor with respect to some of those matters, because it goes back a very long way.

Understand, please——

Mr. TAVENNER. I want to be certain that in your appearance here you propose to advise this committee fully as to all the knowledge you have regarding the strategy used by the Communist Party, the policy of the Communist Party, and to give this committee the names of all persons with whom you came in contact within the Communist Party, particularly those who were outstanding leaders in the Communist Party.

Mr. DENNETT. I will give you the best information that I possibly can, sir, with respect to all the matters involved.

In fairness to the committee and to everyone, I think that it is proper that any person who swears affirmatively that they know so-and-so to be such-and-such a member—I think that in all fairness to all persons concerned it should only be done when you can do so of your own knowledge.

Mr. TAVENNER. But you do know when you attended a closed Communist Party meeting?

Mr. DENNETT. Yes, sir.

Mr. DOYLE. I think, Mr. Tavenner, that the record should show that the attorney who is present this morning with the witness, the distinguished member of the bar, Mr. MacDonald, is the same attorney who appeared with him previously.

Mr. SCHERER. The record will so show.

Mr. TAVENNER. Mr. Chairman, in the light of this explanation and this statement, I recommend to you that you hear this witness fully.

One very serious problem, however, is created here. We are working under a very tight time schedule. This comes at a very late time in the course of this hearing——

Mr. SCHERER. Just a moment. I don't think the witness is hearing what you say.

Mr. DENNETT. I am. I hear it.

Mr. TAVENNER. So I think the committee should give some consideration to the question as to how far you will examine this witness now. I think you will have to abandon the rest of your hearing if you propose to go fully into his knowledge of Communist Party activities.

(At this point Mr. Jackson returned to the hearing room.)

Mr. TAVENNER. That is, if I am at all correct in my assumption of what his knowledge is.

Mr. DENNETT. I believe you are quite correct, sir.

Mr. JACKSON. Very well, the Chair will state that he has discussed this matter with counsel and that upon the showing of willingness on the part of the witness to further elaborate upon his previous testimony, the subcommittee will leave it within the discretion of counsel and the investigating staff as to the future interrogation of the present witness.

Mr. TAVENNER. Mr. Chairman, I would like, under those circumstances, to have it distinctly understood between myself and the witness and his counsel that any examination that it is not possible to complete now will be continued at a later date and we would expect the same cooperation which you have promised now.

Mr. DENNETT. Yes, sir.

I would like at this moment to make one statement and make it very clear to all concerned: that I am not now a member of the Communist Party, as alleged in the expulsion notice earlier referred to by the Communist Party, nor am I a member of the Socialist Workers Party nor any other political party, and I want that to be clearly and distinctly understood on the record, so that everyone may understand that fact and fully appreciate the extent to which the Communist Party has slandered and libeled me no end.

Mr. JACKSON. Very well, the record is, I believe, in light of the statement of the witness, quite clear upon that point.

The Chair would like to ask only one question before the witness is excused.

I beg your pardon, counsel.

It appears that there is a question pending.

Mr. TAVENNER. I haven't gotten a specific reply to my statement about your cooperation in the event that we are not, during the course of our hearing here, permitted to complete our interrogation of you.

Mr. DENNETT. Yes, sir.

May I explain that just this way, please, in substantiation of the statement you just made?

I want it clearly understood that there is no deal on with anybody. I don't make deals; I refuse to make deals. As a matter of fact, I have refrained from discussing this matter because several Government representatives at various times have attempted to make deals with me. I resent such an approach, and therefore what I have to say will be said without any compulsion or any deal or anything of the kind with anyone.

I think that it is necessary that some of this information be made known.

Mr. TAVENNER. Mr. Witness, this is no deal. At the same time, I don't want you to take this witness stand and state your own version of this situation for 10 minutes and then refuse to continue to testify at a later date.

That is my only point, and I want a distinct understanding about that.

Mr. DENNETT. Yes, sir, I understand.

Mr. TAVENNER. That is no deal.

Mr. DENNETT. That is right. But I just wanted it clearly understood by all concerned.

I assure you, sir, it is my intention to speak freely and fully at all times in this matter.

Mr. TAVENNER. That is right. It is only your motives that I am interested in.

Mr. SCHERER. Mr. Chairman.

Mr. JACKSON. Mr. Scherer.

Mr. SCHERER. I would like to ask the witness this: It is clearly understood then that no representative of this committee has approached you any way since you have testified?

Mr. DENNETT. That is correct.

Mr. SCHERER. And this is wholly voluntary upon your part?

Mr. DENNETT. Yes, sir. I want the record to be straight.

Mr. JACKSON. Do you have anything further, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. MACDONALD. Mr. Tavenner, could I reply to your statement, too?

Mr. JACKSON. I would prefer to excuse the witness—

Mr. MACDONALD. Mr. Tavenner asked me as to my understanding as his counsel, and I would like to set that record precisely straight, too.

Mr. JACKSON. Would you withhold it for just a moment, please?

Mr. MACDONALD. Yes, sir.

Mr. JACKSON. Is there any reason why the witness should not be excused at this time, Mr. Counsel?

(At this point Mr. Tavenner conferred with Mr. Jackson.)

Mr. JACKSON. The witness is excused only for the immediate moment because under the rules of the committee counsel would otherwise not be entitled to address the committee.

(Witness temporarily excused.)

Mr. JACKSON. Counsel may address the committee at this time.

Mr. MACDONALD. Thank you, Mr. Chairman. I will make my statement brief and to the point.

STATEMENT OF KENNETH A. MacDONALD

Mr. Tavenner had asked the witness and had asked me as his counsel as to the understanding that he was attempting to arrive at. The witness explained precisely and finally his understanding, and I wish the record to be clear, without any doubt, that I, as his counsel, along with Mr. Dennett—and have the record again state that this is entirely voluntary on the part of Mr. Dennett, that there have been no approaches by your committee or anybody on your committee, and that Mr. Dennett wants to give to your committee the full information or rather extensive knowledge about the higher level activities of the Communist Party up until 1947, and I wish it to be clear that this will be a full statement to the very best of his recollection, and he is placing himself at your disposal to assist in the inquiry which you are conducting.

I think that is your understanding?

Mr. DENNETT. That is correct.

Mr. JACKSON. Very well. I thank counsel for his statement and the witness is now recalled to the stand.

FURTHER TESTIMONY OF EUGENE V. DENNETT, ACCOMPANIED BY COUNSEL, KENNETH A. MacDONALD

Mr. TAVENNER. You have advised the committee, Mr. Dennett, that you desire to come back and state the facts?

Mr. DENNETT. Yes, sir.

Mr. TAVENNER. Which you did not state before.

Now you made a statement—

Mr. DENNETT. What I said were facts before.

Mr. TAVENNER. You stated a few minutes earlier that you wanted the record to show that you are not a member of the Communist Party

now and you have not been since the period when you were expelled. I believe you made that statement.

Mr. DENNETT. That is correct.

Mr. TAVENNER. Now you will recall your questioning earlier, I believe. When I presented you with that question, I did not contend that you are now a member of the Communist Party. I told you that the witness had testified that you had been expelled from the party; so that you were given the full opportunity to put that on record when you appeared first before this committee.

You desire to do so now, but you did not at that time; is that correct?

Mr. DENNETT. That is correct.

Mr. TAVENNER. Now will you tell the committee, please, when you first became a member of the Communist Party?

Mr. DENNETT. Late in 1931.

Mr. TAVENNER. How long were you a member of the Communist Party?

Mr. DENNETT. At that time I was a member continuously until about 1933—some time in 1933 or 1934, and was dropped from membership for a period of about a year. During that time I was away; I was in the CCC camp. When I came back from the CCC's, I found employment on the waterfront, and shortly after I attained some prominence on the waterfront in union activities. I was reregistered and signed again for membership in the Communist Party.

Then I was a member in continuous standing from that period in 1935 until I was inducted into the service in 1943. During my absence from this area and while I was in the service, I was not a member of the Communist Party.

Upon my return from the service in 1945—well, I returned from the service late in 1945 but was not reregistered in the party in 1945, not until the reregistration in 1946, and then I was immediately involved in controversy over policy and struggle, which was a continuation of what had started before I went into the service, and it wound up with this slanderous expulsion notice which was circulated far and wide. Not only that one, but I understand two others were circulated as well, misrepresenting my political views and misrepresenting everything about me and my wife.

Mr. TAVENNER. And that occurred at what date?

Mr. DENNETT. That was in October of 1947, I believe.

Mr. TAVENNER. Have you been affiliated in any way with the Communist Party since 1947?

Mr. DENNETT. I have not.

Mr. TAVENNER. Will you tell the committee, please, very briefly—because at this time we can go into it only in a very brief way—what your activity has been in the Communist Party, that is, the general nature of your activity, the prominence of your work, the major Communist Party activities in which you engaged? And you may only just mention them rather than discuss them at this time.

Mr. DENNETT. In 1932 I was district agit-prop. That is comparable to an educational director, I believe, in recent years. Later I was a section organizer. Later I was a member of the district committee, and at many times throughout the period I was a member of the district bureau—I believe nowadays it is called the executive committee.

At two periods I was a member of the district secretariat. That is a very small body of 2 or 3 persons who are responsible for the daily activities of the party.

Mr. TAVENNER. Having held those prominent positions within the Communist Party, you were in a position to know the inner workings of the Communist Party very well, weren't you?

Mr. DENNETT. To the best of my knowledge, I certainly was. Some people seemed to think that some things were withheld from me, but I don't see how it could be. To the best of my knowledge, I certainly knew what was going on.

Mr. TAVENNER. Would you prefer to state at this time, while you are publicly on the witness stand, the reasons for your expulsion and, referring to the malignment of which you spoke, the character of it and the circumstances under which you left the Communist Party?

Mr. DENNETT. Yes, sir. Upon my return from the service, most everything seemed quite strange to me from what I had understood to be the policies and the practices of the party. Many things seemed very strange to me upon such return. They were not consistent with what I understood to be the intent and purpose of the party organization and policy. I found myself in very firm disagreement over policies connected with veterans' organization, over policies about civil rights, over policies in connection with concentration in industry. I found myself in firm disagreement on nearly every important policy question. As a consequence, there was continuous friction between myself and leaders whom I had known for many years, and it ultimately led to an accusation that I was some kind of an FBI agent, and that propaganda was circulated far and wide, and over a period of about 6 months the disciplinary body of the party held my case in its lap, kicked it around, and finally at my insistence made a decision, and the decision resulted in this expulsion.

Mr. TAVENNER. I think that was fairly clear from the expulsion letter, which I have presented in evidence as Hartle Exhibit No. 1.

Mr. DENNETT. Correct.

Mr. TAVENNER. You will recall that I read one paragraph to you from that document.

Mr. DENNETT. I remember your doing it. I don't remember the paragraph now.

Mr. TAVENNER. That paragraph in the very first sentence referred to your opposition to the leadership in the Communist Party and, coupled with it, was the stool pigeoning referred to, and which you now refer to.

Mr. DENNETT. Yes, sir. Do you want some explanation of that?

Mr. TAVENNER. Well, I think at this time it is not so much a question of the committee extending its interrogation of you, as it is to give you the opportunity to appear here as you requested.

Mr. DENNETT. I appreciate that, sir.

Mr. TAVENNER. The committee will want to, necessarily, interrogate you very fully, but I doubt that it can be done now.

Has this testimony so far adequately covered what you wanted to say to the committee at this time?

Mr. DENNETT. Well, I think that it would be difficult to say all that I want to say without infringing on the time that you say you are limited to. I feel that there is a need to call attention to those practices which are essentially undemocratic, which I fear some people in

their anxiety to fight the Communists themselves often engage in, and I think that constitutes a real danger and threat to us. And I hope in the course of my testimony and appearance before you and the committee, whoever may be assigned to that, that it will be possible to go into that very fully.

I feel that the violation of democratic procedure, the violation of civil rights is something which has been looked upon too lightly in too many quarters, and I have seen too many examples and I have had too many experiences which have caused me to feel that there is a real threatening menace in that respect. I wouldn't say that it is all confined to the Communist Party alone. I think they have made a contribution in that direction which I detest.

Mr. SCHERER. May I interrupt, Mr. Chairman?

Mr. JACKSON. Mr. Scherer.

Mr. SCHERER. Since you have been subpoenaed by this committee, up to the present moment do you feel that any of your civil rights have been violated by any action of this committee or its staff?

Mr. DENNETT. No, sir.

Mr. JACKSON. In that connection, I should like to say to the witness that constructive criticism of this committee or of any of the members of this committee or of the staff of the committee is always in order. We have never taken umbrage at such criticism, as distinguished from destructive criticism which aims at the destruction of all of the congressional rights and obligations to investigate.

Out of such constructive criticism of our methods of procedure have come a code of rules of procedure. I believe you received a copy of it.

Mr. DENNETT. Through my counsel I did.

Mr. JACKSON. To the best of my knowledge, this is the only committee of the Congress investigating in the many fields which has such a code of procedure, a code of procedure which I believe is sound and which I believe does a great deal to protect the basic fundamental American rights of witnesses who appear before the committee.

I should at this time pay a considerable amount of credit to the gentleman from California, Mr. Doyle, who was a member of the subcommittee who drafted these rules of procedure. I think it is important for everyone to realize that this is not a hit-or-miss proposition; we are not today going out on street corners and tapping someone on the shoulder and hailing them into the witness chair simply because they might look subversive; they are brought in under a certain set code of procedure. And I believe that if any abuse is taken during the course of these hearings, that abuse is taken in large part by those of us who sit up here.

Mr. SCHERER. And they are brought in after a thorough and complete investigation by what we feel is a very competent staff.

Mr. DOYLE. Mr. Chairman, it might be appropriate for me to call attention at this point to the fact that we not only invite constructive criticism, but under Public Law 601, section 753 or rather page 753 of section 2 of that law, we are invited and expected to report to Congress not only to the extent of subversive and un-American propaganda activities in the United States, but all questions in relation thereto that would aid Congress in any remedial legislation.

As the chairman knows, I always ask before I get through with the friendly witnesses if there is any constructive suggestion they have

which will help this committee fulfill its full obligation to the United States Congress in making recommendations for remedial legislation, and perhaps this witness in due time will be able to help us with his constructive suggestions on that subject.

Now may I just call attention, Mr. Chairman, in view of the fact that you have mentioned the rules—I appreciate your observation of my part in it—but rule 10 should be pointed out especially, Mr. Chairman, because I think it is the first time in history of Congress that any such rule has ever been promulgated, and may I just read that?

RULE X. RIGHTS OF PERSONS AFFECTED BY HEARING

A. Where practicable, any person named in a public hearing before the committee or any subcommittee as subversive, Fascist, Communist, or affiliated with one or more subversive-front organizations, who has not been previously so named, shall, within a reasonable time thereafter, be notified by registered letter, to the address last known to the committee, of such fact, including—

- (1) a statement that he has been so named;
- (2) the date and place of said hearing;
- (3) the name of the person who so testified;
- (4) the name of the subversive, Fascist, Communist, or front organization with which he has been identified; and
- (5) a copy of the printed rules of procedure of the committee.

B. Any person, so notified, who believes that his character or reputation has been adversely affected or to whom has been imputed subversive activity, may within 15 days after receipt of said notice:

- (1) Communicate with the counsel of the committee, and/or
- (2) Request to appear at his own expense in person before the committee or any subcommittee thereof in public session and give testimony in denial or affirmation relevant and germane to the subject of the investigation.

C. Any such person testifying under the provisions of B (2) above shall be accorded the same privileges as any other witness appearing before the committee and may be questioned concerning any matter relevant and germane to the subject of the investigation.

Again, I think it is a historical fact in congressional procedures—no other committee of Congress, either of the House or the Senate, has ever obligated itself to send notice to any person named before the committee in an investigation and giving that person specific procedure by which that person can clear any inference or any statement of anything else which he feels might be detrimental to his reputation.

Mr. JACKSON. Thank you, Mr. Doyle.

Do you have anything further, Mr. Counsel, before this witness is excused?

Mr. TAVENNER. No, I have not, Mr. Chairman, other than to state that I do not believe time is available now to question the witness regarding the matters he has suggested existed within the party, because I know from examination of other witnesses on that subject that it is bound to be extensive.

However, if the witness by what he said meant to offer some criticism to this committee in its own manner of functioning, I have no objection to that.

Mr. DENNETT. I had no reference to that, sir, in this proceeding.

(There followed at this point a series of questions and answers which were physically stricken from the record at the request of the Chair.)

Mr. JACKSON. Is there anything further?

Mr. Doyle?

Mr. DOYLE. I do want to ask this one question.

As I understand it now, you have returned here and you are not going to plead the fifth amendment, is that correct?

Mr. DENNETT. That is correct.

Mr. DOYLE. Nor any other amendment of the Constitution, I presume—because we have even had pleaded the 14th amendment.

Mr. DENNETT. I think I read something to that effect in some of the newspapers.

Mr. DOYLE. And your answer is that you are not going to plead any of the amendments of the Constitution?

Mr. DENNETT. My answer, sir, is that I am going to testify to the best of my knowledge to what I know and what I can tell you in good conscience about the facts.

Mr. JACKSON. The Chair has one additional question to ask.

Have you finished what you were knitting?

Mr. DENNETT. Counsel insisted that I not bring that along. I wanted to because it has not been finished. It is a stole and it will be finished probably by the time the hearings are over.

Mr. JACKSON. Very well. The witness is excused.

(Witness was excused.)

Mr. JACKSON. Will counsel call the next witness.

Mr. TAVENNER. Dr. Abraham Charles Keller.

Mr. JACKSON. Do you solemnly swear that in the testimony you are about to give before this subcommittee you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Dr. KELLER. I do.

May I make a request, sir?

Mr. JACKSON. Yes.

Dr. KELLER. I should prefer not to be on television. I think when you look at my poor face and my bald head, you will agree with me.

Mr. JACKSON. Very well.

Dr. KELLER. And may I have a drink of water?

Mr. JACKSON. The television cameras will please refrain from photographing the witness during the course of his testimony.

Before we proceed the committee will take a brief recess.

(Whereupon, at 11:08 a. m., the hearing was recessed, to reconvene at 11:20 a. m.)

(Whereupon, at 11:20 a. m., the hearing was reconvened.)

Mr. JACKSON. The committee will be in order.

Are you ready to proceed, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Will you state your name, please, sir?

TESTIMONY OF ABRAHAM CHARLES KELLER, ACCOMPANIED BY COUNSEL, JOHN S. HARLOW AND BENJAMIN S. ASIA

Dr. KELLER. I am Dr. Abraham Charles Keller.

Mr. TAVENNER. Are you accompanied by counsel, Dr. Keller?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Counsel, will you identify yourself, please?

Mr. HARLOW. John S. Harlow of the Seattle bar.

Mr. ASIA. Benjamin S. Asia of the Seattle bar.

Mr. TAVENNER. When and where were you born, Dr. Keller?

Dr. KELLER. Sir, I was born in Cleveland, Ohio, February 21, 1916.

Mr. TAVENNER. Where do you now reside?

Dr. KELLER. I live at 2107 East 54th Street in Seattle.

Mr. TAVENNER. What is your occupation?

Dr. KELLER. I am an associate professor, sir, at the University of Washington.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Dr. KELLER. Well, sir, I was educated in the public schools of Cleveland, Ohio. I attended for the first 2 years of my college training Fenn College in Cleveland, Ohio, with a scholarship from that institution and received my B. A. and M. A. at Ohio State University.

Mr. TAVENNER. In what year?

Dr. KELLER. In 1936 and 1937, respectively.

I then went to the University of California in Berkeley, where I did graduate work, receiving a doctor's degree in 1946.

Mr. TAVENNER. When did you enter the school at Berkeley?

Dr. KELLER. In the fall term of 1937. I suppose that was August.

Mr. TAVENNER. You entered the University of California in the fall of 1937?

Dr. KELLER. I might say, so that you don't think it took me quite that long to receive the doctorate, that there were some interruptions.

Mr. TAVENNER. What were those interruptions?

Dr. KELLER. I was a half-time teacher, which is called teaching assistant, in French there, from 1937 to 1941, as I recollect.

Mr. TAVENNER. Were there any interruptions during that period, between 1937 and 1941?

Dr. KELLER. No. No, not except summers, and then I never registered again as a student after that but only worked on my Ph. D. dissertation.

Mr. TAVENNER. Where did you reside when you were a student at the University of California?

Dr. KELLER. Most of the time on Delaware Street. The exact address slips me. I suppose I could recall that, if it is germane. I don't remember the exact address right offhand.

Mr. TAVENNER. Was that in Berkeley?

Dr. KELLER. In Berkeley, yes, sir.

Mr. TAVENNER. What other addresses did you have in Berkeley?

Dr. KELLER. Up to the time of about 1941, that was the only one if I am not mistaken.

In 1941, after being married, I lived in a house on McGee Street.

Mr. TAVENNER. Was it 2429 McGee Street?

Dr. KELLER. I am sure that is right, sir.

Mr. TAVENNER. How long did you live there?

Dr. KELLER. I lived there until some time in 1946, except that in the school year 1945 to 1946, I, myself, taught in Stockton, Calif., and because of the housing situation I lived there alone and came back to Berkeley on most weekends, so that I think officially I should say I did live at that McGee address until, say, June of 1946.

Mr. TAVENNER. In what institution did you teach at Stockton?

Dr. KELLER. In Stockton, Calif., sir, that was the Stockton Junior College.

Mr. TAVENNER. And you taught there for how long?

Dr. KELLER. One school year—a little short of that, because, as I recall, I got the job in late October or something like that. This was just after the end of the war, you remember.

Mr. TAVENNER. What was your next teaching assignment?

Dr. KELLER. My next one was at Harvard University, where I taught for 2 years, sir.

Mr. TAVENNER. That would have been 1947 and 1948?

Dr. KELLER. Well, that would have been September 1946 to the end of the school year in June of 1948.

Mr. TAVENNER. In what field did you teach?

Dr. KELLER. I taught French and comparative literature there.

Mr. TAVENNER. What was your next teaching assignment?

Dr. KELLER. I then came to the University of Washington, where I have been continuously since that time, with the interruption of only 1 year.

Mr. TAVENNER. What is your field at the University of Washington?

Dr. KELLER. I particularly teach French language and literature, with occasionally a course in what we call general studies, but the bulk of my time is occupied with the study and teaching of French language and literature.

Mr. TAVENNER. While you were a student at Berkeley in 1939, did you travel to France?

Dr. KELLER. Would you repeat the date, please, sir?

Mr. TAVENNER. 1939.

Dr. KELLER. Yes, sir, in the summer of 1939 I went to France; yes, sir.

Mr. TAVENNER. You were issued a passport, of course?

Dr. KELLER. Yes, sir; I was.

Mr. TAVENNER. And did you apply on a subsequent date for the renewal of the passport?

Dr. KELLER. I have no recollection to applying for a renewal of that passport, because I believe it expired after a certain length of time.

Mr. TAVENNER. Well, were you issued a passport subsequent to 1939?

Dr. KELLER. Yes, sir; I was issued a passport, I believe, in—it was about the second year that I was in the State of Washington. I should think it would have been in 1949. I am pretty sure, sir, it was in 1949, and I think I can pin it down further. It was probably about March or April 1949.

Mr. TAVENNER. Was the passport issued to you?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. To what country or countries did you travel under that passport?

Dr. KELLER. Well, sir, I didn't use that passport for traveling, because the trip to Europe which I contemplated under it didn't work out.

Mr. TAVENNER. What was the trip that you had contemplated?

Dr. KELLER. I was working on an exchange teaching arrangement with someone in London, having never been in London, and since in this particular program that the United States Government participates in they have exchange teachers, the quota evidently for France was filled and my second choice was England, so that I tried to go to London—and it seemed as though that was all set. Something fell through at the last moment, but it seemed certain enough so that I ought to have a passport and I accordingly got that I should think in about April of 1949.

Mr. TAVENNER. Did you apply for the renewal of that passport which was issued you in 1949?

Dr. KELLER. Yes, sir; I did, 2 years later. I again guess that it was about April—1951.

Mr. TAVENNER. I hand you a photostatic copy of a letter addressed to the Passport Division of the State Department and will ask you if the signature appearing there is your signature?

(Witness and his counsel examine document.)

Mr. TAVENNER. Or a copy of your signature?

Dr. KELLER. Yes, sir, that certainly looks like my signature.

Mr. TAVENNER. Will you let me have the document, please?

Now this letter is dated April 25, 1951, and reads as follows:

On February 23 I sent you my passport and my wife's, with a request for extension and a postal note to cover the fee for extension. Not having as yet received our passport back with the requested extension, may we ask that you give the matter your attention as soon as possible?

I desire to offer this letter in evidence and ask that it be marked "Keller Exhibit No. 1."

Now I hand you a letter under date of April 23, 1951, purportedly addressed to you from the Chief of the Passport Division of the State Department, and I will ask you to identify it, if you will, and state whether or not you received the original.

(Witness and his counsel examine document.)

Dr. KELLER. Yes, sir; I have a distinct recollection of receiving this letter.

Mr. TAVENNER. The letter reads as follows:

DEAR MR. KELLER: The Department has received your request that your passport be renewed. After giving careful consideration to your case, the Department is of the opinion that your proposed travel abroad would not be in the best interests of the United States. Your request is therefore disapproved.

I desire to offer this document in evidence and ask that it be marked "Keller exhibit No. 2."

What action, if any, did you take upon receipt of that denial of that application for passport?

Dr. KELLER. Sir, I don't recollect doing anything about it, at the moment, and if I might explain to you in the event that you are not familiar with all the relevant facts—

Mr. TAVENNER. Let me interrupt you just a moment.

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Let me hand you a photostatic copy of a letter of May 14 addressed to the Passport Division and ask you to examine it and state whether or not it doesn't refresh your recollection as to the action you took?

(Witness and his counsel examine document.)

Dr. KELLER. Yes, sir; I see at a glance that this looks like the letter that I wrote. I think you are entirely right there, sir.

Mr. TAVENNER. I desire to offer it in evidence and ask that it be marked "Keller exhibit No. 3."

Mr. JACKSON. Keller exhibits Nos. 1, 2, and 3 will be admitted.

Mr. TAVENNER. Having refreshed your recollection, what action did you take?

Dr. KELLER. Thank you very much for doing so, sir.

I did indeed write a letter to the State Department, disagreeing with the decision that my travel abroad would not be in the best interests of the United States and stating in substance that I could see no reason for this particular decision. I did further things in this direction.

Would you like to have me go into them, sir?

Mr. TAVENNER. Before you do, did you receive a reply to that letter?

Dr. KELLER. Again, sir, I don't recall, but I think I did.

Mr. TAVENNER. I hand you a letter purportedly addressed to you and ask you if you will identify it as having received the original of which this is a copy?

Dr. KELLER. Yes, sir; I think this would be the one that I received in reply to mine.

Mr. TAVENNER. The letter reads:

DEAR MR. KELLER: In reply to your letter of May 14, 1951, you are informed that the Department's action declining to grant you and your wife passport facilities was taken after very careful consideration. The Department does not know of any steps which you could take which would cause it to reverse its decision in the matter.

Sincerely yours,

R. B. SHIPLEY,
Chief, Passport Division.

I desire to offer this letter in evidence and ask that it be marked "Keller exhibit No. 4."

Mr. JACKSON. It may be so received.

Dr. KELLER. Sir, after receiving this letter, and because this was a very serious matter to me, as you must realize, for a person engaged in the teaching of things relating to France—to be evidently condemned through not being able to go to France, ever—is a very serious matter. What's more, at this particular moment I had a research grant, which would have permitted me—and a sabbatical leave from the university the two of which together would have financially permitted me and my family to go to France. Therefore, I took a very serious view of this, sir, and I did take further action.

Would you like to have me explain, sir?

Mr. TAVENNER. Yes.

Dr. KELLER. I went to Washington, D. C., after one or more telephone calls to make an appointment, because it appeared to me that the chances of doing anything about this matter by correspondence were very dim.

Mr. TAVENNER. Let me see if I can refresh your recollection about one matter.

You spoke of the interfering with your sabbatical leave and plan for teaching abroad. Well, did not your letter of May 14, introduce as Keller Exhibit No. 3, state that it did not interfere with your plan as you had changed them and that you were not going abroad after all?

Dr. KELLER. Well, sir, I can explain that to you very clearly. The grant that I held—

Mr. TAVENNER. That isn't necessary, other than to state whether or not you had actually changed your plans. I want to refresh your recollection.

Dr. KELLER. Yes, sir. My plans were changed partly because of the research grant that I received requiring me to spend the whole year in Ohio at Ohio State University.

Let me point out, though, that it is possible under that grant to spend a certain amount of time away from Ohio. Indeed I did spend one quarter of that time at Harvard University during that year; and I thought that if I could get the passport I could prevail on the authorities at Ohio State University to permit me to spend part of that year or perhaps all of it, ideally, in France.

(At this point Mr. Jackson left the hearing room.)

Mr. TAVENNER. All right, sir. Now, if you will proceed.

Dr. KELLER. Yes, sir. After making one or more telephone calls to the State Department—I don't recall whether it was one or more, and I believe those were made when I was already in Ohio—I made an appointment with a gentleman in the State Department who evidently was in charge of my case, whose name I have forgotten. He agreed to let me come to Washington to change his mind, which I did. I didn't succeed in changing his mind, as I haven't been to France since then.

Mr. TAVENNER. During the course of the committee's investigation, it received information that at the time you went to Washington to confer on this matter, you advised the State Department that you had been a member of the Communist Party from 1939 to 1946, is that correct?

Dr. KELLER. With the possible exception, sir, of one of the dates, which I hope you will excuse me for being vague on.

Mr. TAVENNER. I believe I may have misstated it. I meant to say from 1939 to 1946.

Dr. KELLER. Well, to the best of my recollection, those dates should have been 1938 to 1946, but I won't dispute the particular—I certainly told them that I had been a member of the Communist Party, sir; I told this gentleman with whom I talked.

Mr. TAVENNER. Were you advised to give such facts regarding the Communist Party that you possessed to agents of the Federal Bureau of Investigation?

Mr. KELLER. May I ask you to repeat that, sir?

Mr. TAVENNER. I say were you advised in Washington by representatives of the State Department—I will reframe that. Was it suggested to you by representatives of the State Department that you advise the Federal Bureau of Investigation of your knowledge of Communist Party activities?

Dr. KELLER. Well, sir, to the best of my recollection, I wouldn't like to go as far as to say that it was suggested to me, and certainly I wasn't advised, but the gentleman left open to me the possibility that if I were to give all information about the Communist Party to—and here I thought—the State Department security officer rather than the Federal Bureau of Investigation, but I am not definite on that—in any case, if I would give all relevant information about the Communist Party to proper channels, let us say—he didn't say that I would get a passport, he didn't propose a deal; he said the security officer would then be glad to reexamine my case.

Mr. TAVENNER. Did you reject the idea of speaking to the Federal Bureau of Investigation or the security officer about your knowledge of Communist Party activities?

Dr. KELLER. Yes, sir; I did. And may I say a word as to why?

Mr. TAVENNER. Yes.

Dr. KELLER. Because the people that I knew in the Communist Party as of the time that I had been a member, and the particular branches with which I had been affiliated were made up of—those were people who, like me, were intellectuals, for the most part, in any case.

Mr. TAVENNER. Do you think intellectuals are harmless?

Dr. KELLER. May I pass on that one, sir?

The point is that I knew nothing of a subversive nature, nothing relating to espionage or sabotage, which it seemed to me that I could give to the State Department. And since, sir, this was a perfectly voluntary matter. The officer of the State Department, who was a gentleman, as I can recall didn't tell me to do this; no one told me to. This was an entirely voluntary matter, and I didn't think, sir, that my trip to France, important as it was to me, was quite that important.

Mr. TAVENNER. Were you visited at any time subsequent by a member of the Federal Bureau of Investigation?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Did you give him information relating to your knowledge of Communist Party activities?

Dr. KELLER. Well, he didn't ask me for such, sir.

Mr. SCHERER. You mean the Federal Bureau of Investigation called on you?

Dr. KELLER. Yes, sir.

Mr. SCHERER. And didn't ask you that question?

Dr. KELLER. Well, the gentleman from the Federal Bureau of Investigation called upon me to make an appointment with me about my own case and, to the best of my knowledge, since this again was a voluntary matter, you see, I decided that I would not give him the information that he, I supposed, was looking for.

Mr. TAVENNER. Did you refuse to have a conference with him?

Dr. KELLER. I did, sir.

Mr. TAVENNER. Was that because you considered that your group of intellectuals were persons that could be guilty of no wrong?

Dr. KELLER. Well, that is going a little too far.

Mr. TAVENNER. That is going a little too far?

Dr. KELLER. Since one has to speak of what one knows and, especially in matters of this seriousness, since one has to live with one's conscience, it seemed to me that I was so far from knowing of any wrong acts on the part of any people that I knew that it was not my duty to take it upon myself to say anything about them.

Mr. TAVENNER. But you did take it upon yourself the duty of judging the value of that information rather than to permit a duly constituted agency of the Federal Government to judge the value of it?

Dr. KELLER. I am not entirely clear, sir, whether—I thought that a citizen does not have a legal responsibility to offer information to the FBI. Am I right, sir?

Mr. TAVENNER. Are you raising the question now as to whether you were required to do it or—

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Whether you decided not to do it?

Dr. KELLER. Well, I decided, obviously, not to do it, sir.

Mr. SCHERER. Let me answer to that.

Certainly a loyal American citizen has that obligation. It may not be a legal obligation.

Dr. KELLER. I would at that time, sir, and would now, without any hesitation, offer to the FBI any information that I know about, acts of persons, which could remotely be construed as subversive or in the realm of espionage—anything detrimental to our country.

Mr. TAVENNER. But you wouldn't meet with the Federal Bureau of Investigation agent when he called upon you?

Dr. KELLER. That is right, sir.

(At this point Mr. Jackson returned to the hearing room.)

Mr. TAVENNER. And up until the time that you were subpoenaed here, you had not offered to talk to a duly constituted representative of the Government on the subject of communism?

Dr. KELLER. That is right, sir.

Mr. TAVENNER. Where did you become a member of the Communist Party, at Berkeley?

Dr. KELLER. To the best of my recollection in Berkeley. It may have been in one of the nearby towns like San Francisco or Oakland, sir.

Mr. TAVENNER. Where were the meetings held while you were a member at Berkeley?

Dr. KELLER. Well, that is a rather difficult thing to say, considering first of all how long ago it was and how many years were involved, and the numerous places at which meetings were held. They were at the houses of different members of the particular group, and the personnel of each group was constantly changing, sir, so that would be a very difficult thing to say.

Mr. TAVENNER. Mr. Chairman, I ask the suggestion of the committee as to whether or not I should interrogate this witness with regard to names of individuals at this time, without having conferred with him or a member of the staff having conferred with him as to the names?

Mr. JACKSON. We will suspend for just a moment.

(At this point the committee members conferred.)

(At this point Mr. Scherer conferred with Mr. Tavenner.)

(At this point Dr. Keller conferred with Messrs. Harlow and Asia.)

Mr. TAVENNER. Now, Mr. Keller, I propose to ask you at this time to give the committee the names of persons who were active in the Communist Party group with which you were connected at the University of California, in the sense of persons who were leaders in your group. Now, just a moment—those who were officials in your group. I want to reserve for executive session the names of mere rank-and-file members until we have received the names from you and have followed the customary procedure in making some investigation before making public that type of information. Do you understand?

Dr. KELLER. Yes, sir. Well, the matter of officials—

Mr. DOYLE. Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. Our distinguished counsel always knows more about how to put questions than I do—but I wonder, counsel, if you emphasized there sufficiently—I didn't hear you do it; that these names he gives of leaders must be known of his own knowledge as members of the Communist Party and not by hearsay nor by association or anything other than his own personal knowledge.

Dr. KELLER. I am very grateful to Mr. Doyle for emphasizing that, because in my own mind, as I have thought about this—for I expected this question, sir—I have set for myself a criterion which resembles what you have described; that is to say that before I name someone I

have to know, not that I knew him socially or in connection with my love of music or in connection with literary discussions, but that I have to have seen him, I have to have a mental picture of seeing him sitting with me in a closed Communist Party branch meeting, because that is the only thing which will keep me out of the realm of speculation.

MR. DOYLE. I didn't mean that the gentleman has to have a painting in his memory of whom he sat with, but I do mean that you must be able to identify to your own personal knowledge—whether it is a picture or whatever it is—I don't mean by my statement to weaken your obligation, giving the name of any and every leader, as Mr. Tavenner has said, of the Communist group that you were with.

MR. TAVENNER. I would like to ask a few other questions first.

Did you hold any official position in this Communist Party group at the University of California?

DR. KELLER. Well, I was in many groups and I held no official position that I can recall, except that for a time of perhaps a half year I went down, I think to the Communist Party headquarters in Oakland and got literature to make available to the members of the branch at that meeting. This branch, obviously, and all the branches I was with did a lot of reading, and it was a bit of responsibility to pick out the literature which ought to be made available in connection with the discussion then going on.

MR. TAVENNER. Were these branches that you were a member of composed of students at the university or faculty members, or both?

DR. KELLER. Well, sir, I don't remember, certainly, any faculty members. I was a student, myself, and I suspect they were almost all graduate students, and probably some of them were teaching assistants like myself.

Does that answer your question, sir?

MR. TAVENNER. Yes, I think it does.

I will want you to give us first, before going into detailed information, the names of these clubs or branches of the Communist Party, if they had names, or any other descriptive information that you can give me regarding them, including the dates of your transfers to each of them.

MR. JACKSON. Before we enter into this area of interrogation, would this, in your opinion, be a good place to recess?

MR. TAVENNER. Yes, sir. I asked the question so that he could think it over during the noon hour.

DR. KELLER. Thank you.

MR. JACKSON. Very well. The committee will stand in recess until 1:30.

(Whereupon, at 12 m., the hearing was recessed, to reconvene at 1:30 p. m.)

AFTERNOON SESSION

(Whereupon, at 1:33 p. m., the hearing was reconvened.)

(Mr. Scherer was not present in the hearing room.)

MR. JACKSON. The committee will be in order.

Are you ready to proceed, Mr. Counsel?

MR. TAVENNER. Yes, sir.

**FURTHER TESTIMONY OF DR. ABRAHAM CHARLES KELLER,
ACCOMPANIED BY COUNSEL, JOHN S. HARLOW AND BENJAMIN
S. ASIA**

Mr. TAVENNER. Dr. Keller, do you recall the question that I asked you just at the conclusion of the morning session? It was to give us the names or some other descriptive information regarding each of the groups or branches of the Communist Party which you were from time to time a member of.

Mr. JACKSON. Before answering that, Mr. Counsel, let the record state that a legal quorum of the subcommittee is present at this time.

Dr. KELLER. Sir, that is a difficult question, which I have done a little thinking about during the lunch hour, as well as before, and I can tell you that I was moved around from one branch to another with some rapidity.

Mr. TAVENNER. Describe as best you can your various transfers.

Dr. KELLER. Well, some of the branches were rather small—let us say 10 or 12 members, and I think at the other extreme they might have ranged up to 25 or 30; but in the course of the 7 or 8 years that I was a member I must have been in—oh, 10 or 12 different branches, and they varied a good deal as to the number in them.

Is that what you are principally interested in, the number of people per branch? I don't know.

Mr. TAVENNER. I want you to identify the group, if you can.

Dr. KELLER. Oh, well, maybe if I say something about the activity of the group, that would help you, sir.

Mr. TAVENNER. Very well.

Dr. KELLER. The principal activity that the groups indulged in or engaged in during the time I was in the party was discussion. These were people who loved to talk and discuss and there were all kinds of problems of the day—and theoretical—that were discussed.

We would often write things. I remember dimly participating in the writing of a little leaflet for some—I don't remember now what union or organization—some organization needed a leaflet written, and I participated. It evidently had members in it who were not as good at writing as we who had more education.

That is the general sort of thing that was done, principally.

Does that help you, sir?

Mr. TAVENNER. Let us go back a little further.

Who recruited you into the Communist Party, or how were you recruited into the Communist Party?

Dr. KELLER. Well, I don't think anyone recruited me. I recruited myself over a period of several years prior to joining. I should think the depression recruited me, sir, and by about some time in 1938, rather a short number of months, I should think, after I got to Berkeley, I passed by a store or what had been a store, with signs on it saying "Young Communist League." This was a Friday evening or I remember that it was a weekend evening, anyway. There was a meeting going on in there and I walked in; and I didn't know anyone there of course, and I asked what this was all about and what was going on. They told me and I sat through part of the meeting. I was told, to the best of my recollection, whom to contact or where to go. Now it probably was downtown Oakland, to the party headquarters, because

obviously I was good material by that time for joining the party. And just who it was downtown in Oakland, if that was the place—I suspect that would be it, that would be the usual pattern—who it was that gave me a card to sign and collected dues from me I haven't the slightest recollection.

Mr. TAVENNER. Were you immediately assigned to a group or a unit of the Communist Party?

Dr. KELLER. Well, I don't know how immediate that was, sir, but not long after, I think. And that group was not—it was associated with the university, and it was made up of people, as far as I know, who attended the university or who were, like me, half-time teachers. At least, that was my assumption.

Mr. TAVENNER. Who was the leader of this group?

Dr. KELLER. Well, I don't recollect any leader, sir, and this might be of some interest to you. In groups like this, or at least in the ones that I was associated with, there wasn't any fixed leader, and I might be assigned to lead the discussion for the next meeting or for the next series of 2 or 3 meetings on the question of nationalism, or say, "What is a nation?" using Stalin's book as a basis. Another time someone else would be assigned—or not assigned, but the group would agree among itself that there was a rotation and different people would be in charge. Since there wasn't anything that I think you would call activity in the usual sense involved, there wasn't occasion for anybody to be a leader, that is, to organize.

Mr. TAVENNER. Now you said this group was made up of part-time instructors.

Dr. KELLER. Well, my assumption was that a good many of the people, if not all, were graduate students who didn't do teaching, or graduate students who did, which would be my case.

Mr. TAVENNER. Not undergraduates?

Dr. KELLER. I don't think so, sir. This was my assumption that they were all graduates.

Mr. TAVENNER. When I stated to you earlier that I did not want you to give us the names in public session of rank and file members of these students, I had in mind undergraduates.

Now I am going to ask you to give us the names of any persons who were part-time instructors or who were graduate students and were taking part in Communist Party activities.

Dr. KELLER. Now you want the names of people who were students or teachers, or the combination?

Mr. TAVENNER. I want the names of any graduate students and the names of any part-time instructors who were members of the Communist Party with you at the University of California.

Dr. KELLER. Well, sir, I can tell you the name of Kenny May—Kenneth.

Mr. TAVENNER. He later became an open member of the Communist Party, did he not?

Dr. KELLER. I don't know, except that he was an organizer of some kind in later years.

Mr. TAVENNER. Yes, he has appeared before this committee and has testified fully.

Dr. KELLER. Well, I recall—by the standards that Mr. Doyle described before, I can identify him all right. And I can identify a philosophy instructor. I am not sure—I think he was a graduate

student like me, teaching half-time, whose name was Dave Hawkins, whom I have lost track of by now. I don't have the slightest idea where he is.

Mr. TAVENNER. In what field was he?

Dr. KELLER. May I say that I am not sure? But from the way he talked in the meetings, as I recall—and I do have a distinct recollection of this gentleman—he was in philosophy, and that is more than a guess on my part that that was his field.

Mr. JACKSON. Your uncertainty goes to the field of his instruction and not his membership in the Communist Party, is that correct?

Dr. KELLER. That is an accurate statement, sir.

Mr. TAVENNER. Proceed, please.

(At this point Mr. Scherer entered the hearing room.)

Dr. KELLER. Well, now, those are the only two that I can mention, sir, in the category that you describe.

Mr. TAVENNER. How long did you remain in that group of the Communist Party?

Dr. KELLER. I don't have any recollection in that particular group, because there was so much shuffling about that it would be a sheer guess on my part. I could say—and this I want to make clear to you—the constitution of these branches didn't turn over immediately. What happened was that a number of people remained constant but people came and went, and I suppose I was one of those who came and went, so I would say that the principal constitution of a branch changed about a dozen times in the 7 years or so that I was in the party.

Mr. TAVENNER. Did the branch have a name?

Dr. KELLER. If it did, nobody paid much attention to it. I dimly recall such a thing as university branch, campus branch, university of California branch—something of that kind. But if you want to mention some names and see if they ring a bell, I will be glad to tell you.

Mr. TAVENNER. Campus Branch No. 4?

Dr. KELLER. I certainly have no recollection of a number. That would imply there were more than one, and I wasn't aware—

Mr. TAVENNER. Was there more than one campus branch?

Dr. KELLER. I certainly don't know.

Mr. TAVENNER. Was there a branch called the Bethune Branch?

Dr. KELLER. I don't have any recollection of that name, sir.

Could you refresh me by saying who it would have been named after? I am not sure that would help me, but it might.

Mr. TAVENNER. I am not quite that expert.

Dr. KELLER. The name doesn't ring a bell. I won't say that I wasn't aware of such a branch or even had heard that name, but, you see, people didn't pay attention to those names; that is what it boils down to. I certainly didn't.

Mr. TAVENNER. But you continued to attend these meetings of the various branches up to 1946?

Dr. KELLER. No, sir, that isn't quite accurate. I continued to attend until the period of, I should say, the summer, probably June of 1945—June or July. The reason I gave you 1946 as the terminal date is that I didn't make a definite break from the party until that time and, as long as I didn't, I think it is my obligation to you to say that I was still in it.

During the year 1945-46, I taught, as I told you, in Stockton, Calif., and I wasn't in a position, physically, to go to meetings of the Communist Party, unless I would go in Stockton, which I did not. I came home to see my wife on weekends, usually.

Mr. TAVENNER. But it was in the fall of 1945 that you went to Stockton?

Dr. KELLER. Yes, sir, that is right. And I recollect nothing during the summer preceding that—that is, in the last few months before I went to Stockton—that rings a bell, as far as attending party meetings. And the whole situation in the party that had arisen then, the dispute that you are acquainted with, I am sure, between Browder and Duclos, put me in an intellectual position which wasn't very favorable to going to more meetings. So, while I didn't withdraw, I doubt very much that I went to any meetings during that school year.

Mr. TAVENNER. Will you give us at this time, please, the names of other members of the teaching staff, that is, part-time teachers or full-time teachers at the university and also graduate students who from time to time attended Communist Party meetings at which you were present? By that I mean closed Communist Party meetings.

Dr. KELLER. That may be the reason that I don't recollect any such—that they may have come from time to time. And I, myself, came from time to time; I wasn't a particularly good member.

Mr. TAVENNER. When you were there from time to time, there were other people present, were there not?

Dr. KELLER. Indeed there were.

Mr. TAVENNER. Will you give us their names?

Dr. KELLER. I am not able to give you any such with any degree of certainty, so as to avoid the whole realm of speculation and my impressions.

Mr. TAVENNER. Will you confer with a member of the staff of this committee with a view of giving a studied account of that matter?

Dr. KELLER. Well, sir, if that seems advisable to the committee, I would be glad to do that. However, I should point out that prior to this meeting I have gone over in my mind the names of the people that I knew in Berkeley during that time in any connection, and I doubt very much, offhand, that you would be able to present me with a name that I haven't thought of in some connection or other. And the people from the university that I mentioned are the ones that I can identify as members of the Communist Party.

Mr. TAVENNER. Well, will you so identify them?

Dr. KELLER. Kenny May, Dave Hawkins.

Mr. TAVENNER. Only those two?

Dr. KELLER. Those two, sir.

Mr. TAVENNER. Do you recall any scientists who were members of your group or groups of the Communist Party?

Dr. KELLER. No, sir. I suppose there would have been some. If you were to ask me who they were, I couldn't tell you, sir; I haven't any recollection of seeing a scientist, as such, present.

Mr. TAVENNER. I assume that the meetings were held in the homes of the various members?

Dr. KELLER. That is right, sir.

Mr. TAVENNER. Were any of the meetings held in your home?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Did that occur regularly during the period of your membership?

Dr. KELLER. Well, I am not aware of any particular regularity about the whole thing, and I don't know if there was any systematic way in which meetings were rotated or switched from one place to another. I feel sure they were at my home a goodly number of times, and they were at other homes.

Mr. TAVENNER. Did you become acquainted with a person by the name of Steve Nelson?

Dr. KELLER. Yes, I did.

Mr. TAVENNER. What position did he hold in the Communist Party at that time?

Dr. KELLER. Well, the precise time is dim in my mind, but he attended meetings of my branch, the branch that I was in at that moment, and at first I suppose I thought that he was a member of the branch—I wasn't aware that he was a leader.

Mr. TAVENNER. He was the organizer for Alameda County; was he not?

Dr. KELLER. He became that, anyway. I am trying to be very accurate, because the first time I saw him I doubt very much that I knew that. Later, of course, I became aware of that—that he was the organizer or the principal official of that county.

I didn't know him particularly well. I might say I knew who he was; I have recognized him on the street. But I doubt very much if he would remember me by now because I wasn't one of the active members of the party that the leadership would pay much attention to, I am afraid.

Mr. TAVENNER. Did you become acquainted with Bernadette Doyle?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Do you know what her position in the Communist Party was?

Dr. KELLER. Well, I think that she was a member of my branch. I think she was an actual member at one time of a branch that I was in, and subsequently—and just whether there was a lapse between or not, I am unable to recall. Subsequently she became some kind of official in the party—in the county or State organization. If you have that information, I will be glad to confirm it, if I know it.

Mr. TAVENNER. Was she the secretary to Steve Nelson, the organizer?

Dr. KELLER. That doesn't sound, offhand—that wouldn't be the thing I would think of her as—as Steve Nelson's secretary.

I might say this: that in the party organization in the county, I always had the impression that tasks were not strictly divided; that is, if the party could afford to have 2 officials in Alameda County, those 2 officials did the work, and I doubt very much that one would be a secretary and another the organizer.

Mr. TAVENNER. Was she secretary of the Alameda County organization of the Communist Party?

Dr. KELLER. I am afraid I would have to pass on that. I don't recall.

Mr. TAVENNER. Did you attend meetings at her home?

Dr. KELLER. I don't have any recollection of that, sir.

Mr. TAVENNER. She was a member of your group, you say, during that period of time that the group met at your home?

Dr. KELLER. Yes, sir.

Mr. TAVENNER. Did it also meet in her home?

Dr. KELLER. Well, I wouldn't especially have a way of knowing. You see, when a meeting was held at someone's home, it was almost impossible to know who the host was, and when the meeting was announced it wasn't said that it would be at Abe Keller's house, at so-and-so address. Somebody might call me on the telephone and say, "The next meeting will be at this or that address," you see, and since we all knew what evening it was, that was sufficient. And since no refreshments were served and nothing happened which would point to a host or hostess, it is pretty impossible for me to say, especially at this late date, whose house it was.

Mr. TAVENNER. Did she attend, frequently, meetings at which you were present?

Dr. KELLER. How frequently, I don't know. I do remember her very clearly, and I think she attended a good number of meetings of the branch that I attended.

Mr. TAVENNER. Did you have occasion to meet at one of those meetings a person by the name of Paul Crouch?

Dr. KELLER. That name, sir, is very well known to me, but I haven't any recollection of meeting him, whatsoever. No, sir.

I might say, by the way, that I hope you will go along with me in not wanting to say—to talk about people that I might have impressions about. This was a factual question and I am glad to say the answer to it.

Mr. TAVENNER. Yes. I don't want your guess about anything.

Dr. KELLER. Thank you.

Mr. JACKSON. Let the Chair clarify this matter of identifications.

While the committee certainly does not want to work a hardship or to have anyone identified about whom you do not have certain knowledge, so far as the committee is concerned any individual with whom you met in a closed meeting of the Communist Party—that is one of the criteria established by the committee as being positive identification. So we don't want to unduly restrict the scope of your testimony. If you met in a closed meeting of the Communist Party with an individual, that will be considered, without objection from any other member of the committee, to be adequate evidence of his membership.

Dr. KELLER. Sir, that corresponds precisely to my own criterion, and I am glad you stated that.

Mr. TAVENNER. Did you meet at any of those meetings with a young scientist by the name of Dr. Joseph Weinberg?

Dr. KELLER. Sir, I am well acquainted, or was at that time, with Joseph Weinberg, but he is not one of the persons about whom I could speak with the kind of certainty Mr. Jackson just described; and I suppose there is nothing I can say about him, since you are not interested in his musical tastes and things like that.

Mr. TAVENNER. No; my question was related to Communist Party meetings.

Dr. KELLER. I have no recall of meeting him in one of the closed party branch meetings.

Mr. SCHIERER. Did you meet him at any Communist Party meetings, whether open or closed?

Dr. KELLER. Sir, I think you are asking me to cross the line, and this I am not saying in relation to Mr. Weinberg but in relation with

any persons, because any possibility of my identifying people as members of the Communist Party is limited to the definitions that we have made.

Mr. SCHERER. I didn't ask you anything about closed Communist Party meetings. You volunteered and said that you did not meet him at a closed party meeting. That was your answer. I merely asked whether you met him at a Communist Party meeting that was open.

Dr. KELLER. Sir, this is much too serious a matter for me to speculate as to whether I have the impression that, with a hundred other people present, I met any particular person at a meeting which was attended by all kinds of individuals.

Mr. SCHERER. I don't want you to speculate. I am merely asking you this question because of your answer to Mr. Tavenner's question. You seem to qualify your answer.

Dr. KELLER. If I may be permitted to do so, I want to qualify my answers in regard to all people other than the ones that I can positively identify, because of the obvious seriousness to people's reputations of this kind of association. And I trust that the committee will support me in this type of caution.

Mr. SCHERER. Well, did you know Mr. Weinberg not to be a member of the Communist Party?

Dr. KELLER. Well, sir, I doubt that I could say that about anybody. I doubt that I could say that about you, Mr. Scherer, though I have my impressions. But under oath, I doubt that I could say that you are not a member of the Communist Party.

Mr. JACKSON. Mr. Counsel, has Mr. Weinberg been identified as a member of the Communist Party?

Mr. TAVENNER. Yes, he has.

Dr. KELLER. If Mr. Weinberg has been identified as a Communist Party member, that is all well and good. I am not able to identify him in that manner; and you might give me the names of people well known to you and to the general public as Communists, but my conscience doesn't permit me to say that anyone was a Communist if I didn't see him in one of these closed party branch meetings.

Mr. JACKSON. The committee is not asking you to go outside your conscience in giving your answers.

However, outside of the fact of whether or not you attended a closed party meeting with Mr. Weinberg, did he ever identify himself to you as a member of the Communist Party?

Dr. KELLER. Did he identify himself to me as a member of the Communist Party?

Mr. JACKSON. Yes, in private conversation, did he ever indicate to you that he was a member of the Communist Party?

Dr. KELLER. I have no recollection of such identification, and if I had any impressions along that line I would sedulously avoid them.

Mr. JACKSON. Did you ever attend a meeting, whether open or closed, in which members of the Communist Party were present, which were held in his home or in his living quarters?

Dr. KELLER. A meeting at his home, sir, in which members of the Communist Party? Yes, sir; I suppose so, since I went to his home and I was a member of the Communist Party. Mr. Weinberg and I were friends—not bosom companions, but we were friends and we used to listen to music a good deal together. I haven't got any recollection

as to who else would have been there—to tell you that; but I was there and that would make it qualify, I suppose.

Mr. JACKSON. Your answer then is that you have never attended a closed meeting of the Communist Party in company with Mr. Weinberg or a closed meeting of the Communist Party at which he was also present?

Dr. KELLER. Well, sir, if I can qualify that, I would say that I have already stated the two people connected with the university with whom I do know that I attended communistic closed party branch meetings; all others would fall into the categories of those that I cannot recall obviously so attending, and this is a very large category indeed.

Mr. JACKSON. Then your answer to my question is no, you did not attend a closed party meeting of the Communist Party at which Mr. Weinberg was present?

Dr. KELLER. I believe I answered that satisfactorily.

Mr. JACKSON. Well, it is somewhat, in my opinion, a qualified answer.

Dr. KELLER. You see, what you are asking me is whether I ever did something or not, and all I can tell you is about my certain knowledge, and my certain knowledge indicates that I attended meetings with the two people whom I have mentioned to you.

Mr. JACKSON. Yes, I understand that.

Dr. KELLER. And beyond that—beyond that, I can't identify anyone as certainly attending a Communist Party meeting with me; so, obviously, Mr. Weinberg would fall into this large category of people whom I can't identify in that manner.

Mr. JACKSON. Stripped of all the verbiage, let us go back to the question.

Did you ever attend a closed meeting of the Communist Party at which Mr. Weinberg was in attendance?

Dr. KELLER. Sir, I must repeat I am unable to answer this question, because I have already told you the people that I could identify, and everyone else falls in a category of people about whom I might have all kinds of impressions—whether I attended this or that or what their politics were—but they are not people whom I can identify in the manner that you like.

Mr. SCHERER. Now, witness—

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. May I pause a moment, sir?

Mr. JACKSON. Yes, of course.

(Conference continues.)

Dr. KELLER. Was there a question pending?

Mr. JACKSON. The only question is the one which has still not been answered, to my satisfaction.

You testified, as I understand your testimony, that you and Mr. Weinberg were friends. It seems to me that one would be able to recall the nature, first of all, of a closed meeting of the Communist Party. The question which I have directed several times to you was whether or not you have ever attended such a closed meeting of the Communist Party, at which meeting there was also in attendance Mr. Joseph Weinberg?

Dr. KELLER. Sir, I repeat I believe I have answered that and to the best of my ability, and as far as I can in good conscience, considering the standards of truth that this committee would like to have.

Mr. JACKSON. I don't think we have violated any standards of truth, with the criterion set up, by asking you a very straightforward question as to whether or not in any closed meeting at any time of the Communist Party, now, I am not talking about open meetings, I am not talking about social meetings; I am talking about closed meetings of the Communist Party, which excluded all of the other people, whether or not in such a meeting at any time and at any place you have been in attendance with Dr. Weinberg.

Dr. KELLER. I would like to know—you don't want me to indulge in impressions, do you?

Mr. JACKSON. No, I simply want you to say "Yes" or "No"; that you were not at such a meeting or, conversely, that you were at such a meeting.

Dr. KELLER. If I have stated the people that I can identify as having attended such meetings with me, isn't it sufficient—or am I too academic?

Mr. TAVENNER. You are staying one step away from answering the question directly.

Dr. KELLER. The reason for my staying away, sir, if you don't mind my saying so, is that my moral principles forbid me to say anything about anybody that I don't know; and all the people other than the two that I have mentioned, and I believe you have mentioned, too, I don't know about these people's politics with any certainty, and I am unable to answer questions about them.

Mr. JACKSON. I am not inquiring into his politics. I am inquiring into his physical presence at a meeting of the Communist Party, a closed meeting of the Communist Party, at which you were also in attendance. It has nothing to do with his politics; he might, for the purposes of this question, be a Republican or a Democrat. I want to know, however, if at any closed meeting he was present.

Dr. KELLER. He might have been, sir. You are asking me if he was present. How can I say yes or no? If I say that he was present, and it turns out that he was not, it seems to me I am liable for perjury; and if I say he was not and you have reason to think that he was or evidence that he was, then I am equally guilty of perjury or something of the kind.

Mr. JACKSON. Certainly this seems to me to be a very fundamental and a very simple question to answer.

Your testimony has been to the point that Dr. Weinberg was a friend of yours. Your testimony has also indicated that you were a member of the Communist Party and that you attended a number of branch meetings of the Communist Party. My question is purely and simply to the point that I would like to know whether Dr. Weinberg attended any closed meeting of the Communist Party—I am not going into the point of his politics—I want to know if he was physically present in a closed meeting of the Communist Party at a time when you were also present?

Dr. KELLER. To the best of my recollection, sir, the two people—
(At this point Messrs. Harlow and Asia advised Dr. Keller.)

Dr. KELLER. Who I can so identify I have identified, and Mr. Weinberg, along with everyone else that you could mention, are people that I don't recollect having seen at closed party meetings.

Is that the type of answer you would like?

Mr. JACKSON. That is getting close to it.

Do you know what a closed meeting of the Communist Party is?

Dr. KELLER. Well, I should think I ought to, sir.

Mr. JACKSON. Well, do you?

Dr. KELLER. It is very difficult to say what I know. I have my own conception of it, sir. Do you want me to define it?

Mr. JACKSON. I think perhaps we could define it.

A closed meeting is a meeting at which no one except Communists is present. Does that agree with your definition?

Dr. KELLER. That is right.

Mr. JACKSON. Proceeding on the premise that a closed meeting is such a meeting as we have described, Do you know Dr. Weinberg?

Dr. KELLER. Yes, I do.

Mr. JACKSON. Have you ever seen the two of them together? Have you ever seen him in a closed meeting?

Dr. KELLER. With whom?

Mr. JACKSON. With anyone—with anyone, I don't care. All I want to know is, Did you ever see Dr. Weinberg in a closed meeting?

Dr. KELLER. Sir, I can't answer that question, because I don't—I don't know—I don't know if I am able to make myself clear. I recollect seeing certain people for certain in closed Communist Party meetings. Those people I have mentioned to you, and two others that you have asked me about I have identified. Beyond that, I don't recollect seeing any people in closed Communist Party meetings, and for me to indulge in any kind of talk about them is contrary to my moral principles and I don't believe that this committee will request that.

Mr. JACKSON. Am I to understand, sir, that the closed party meetings of which you have knowledge were those which were limited to three people?

Dr. KELLER. Three people, sir?

Mr. JACKSON. Yes, the two you have mentioned and yourself.

Dr. KELLER. I would doubt that very much.

Mr. JACKSON. Very well, then, I must assume that they were larger meetings, that there were more people in attendance.

Was Dr. Weinberg one of the individuals who was present at any meeting of which you have knowledge?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Sir, if you don't mind, with the conviction that I have answered that question satisfactorily in my mind, I hope you will agree with me, sir.

Mr. JACKSON. I am not taking issue with your convictions, but I do beg to differ with you on the point that you have answered the question. I do not consider what you have said an answer to the question in any way, taking into consideration your knowledge of the Communist Party and your personal friendship with Dr. Weinberg. I cannot agree that your statement constitutes an answer.

Proceed, Mr. Counsel.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. DOYLE. May I ask the witness a question at this time?

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. An exploratory question, to see if the witness can come another step and be more explicit in his answer.

You have testified that you were a Communist and also that you attended closed Communist Party meetings. That is true, isn't it?

Dr. KELLER. Yes, sir.

Mr. DOYLE. You testified that you and Mr. Weinberg enjoyed musical occasions together in a private home?

Dr. KELLER. Yes, sir.

Mr. DOYLE. And I presume that it was on frequent occasions that you and he enjoyed musical evenings together?

Dr. KELLER. It seems to me—I just don't know.

Mr. DOYLE. Well, a half dozen times or a dozen?

Dr. KELLER. Oh, yes. Yes. Certainly.

Mr. DOYLE. So that you knew him very well, socially at least?

Dr. KELLER. Yes, sir.

Mr. DOYLE. Now you know what a closed Communist Party meeting was at the time. You attended them. I will ask you very definitely, did Weinberg ever, to your knowledge, as you now have it, ever sit with you in one of those closed Communist Party meetings?

I am not asking you to speculate, sir. I am not asking you for your impression. I am not asking you to answer me as you did the others, by a process of elimination.

Dr. KELLER. Sir, may I talk to my attorneys here for a moment?

Mr. DOYLE. Yes. At all times you may talk to your counsel.

(At this point Dr. Keller conferred with Messrs. Harlow and Asia.)

Dr. KELLER. Sir, I wonder if I may have about a minute or two to explain what looks like a very peculiar situation? May I? Because Mr. Jackson told me that I came close. I, in effect—obviously, in effect—answered this question to your satisfaction, and not quite.

Mr. TAVENNER. Mr. Chairman, may I suggest that he be required to answer the question and then make any explanation he desires to make?

Mr. JACKSON. Yes; I think that is a more logical procedure.

If the witness will answer the question, then he will be permitted to make any explanation which he may consider necessary or desirable.

Dr. KELLER. Yes, sir. Sir, I do not recall ever seeing this Joseph Weinberg at a closed Communist Party meeting.

Now if I may have a moment or two.

Mr. JACKSON. Very well.

Dr. KELLER. I would like to—and I answered that question, obviously, on your urging and on advice of counsel. I, myself—

Mr. DOYLE. Now, just a minute. I hope you answered it because you are under oath and want to be frank with us.

Dr. KELLER. Everything that I tell you, sir, is the truth, and nothing else. I am aware of the oath that I took.

What I would like to explain, sir, is that people's political affiliations and views in this particular time are a very serious matter, and for me under oath to say anything about people's politics, whether negative or affirmative, puts me in the realm of speculation and of impressions and of guessing, and my moral principles will simply not permit me to talk about people's politics.

Mr. TAVENNER. You weren't asked any question regarding Dr. Weinberg's beliefs or opinions or his politics; it was a matter of fact only.

Dr. KELLER. You do appreciate or understand my position in this matter, though, I hope?

Mr. DOYLE. No, I don't, very frankly, because it is only a matter of whether or not he was physically present the same place as you were. That is the question: Whether or not you know whether or not he was. We didn't ask you what party he was a member of or what his philosophy was or what music he enjoyed; we asked you whether or not he was physically present, as you now recall it, under oath—and that is the whole question, as I see it.

Mr. JACKSON. The purpose of the question was to determine whether or not the two of you had ever met together in a closed meeting of the Communist Party.

Now, as I understand your answer, to the best of your recollection you cannot so place him in a closed meeting of the Communist Party.

Mr. SCHERER. Mr. Chairman.

Mr. JACKSON. Mr. Scherer.

Mr. SCHERER. Irrespective of attendance at open or closed party meetings, isn't it a fact, witness, that you were so well acquainted that you knew Dr. Weinberg to be a Communist?

Dr. KELLER. Sir, this is the kind of question that I am unable to answer; I am unable to say who is a Communist and who is not.

Mr. SCHERER. Wait a minute. I am merely asking—you don't have to say—I am merely asking if it isn't a matter of fact that you knew him to be a Communist? You can say "Yes" or you can say "No." That is not one that you shouldn't be able to answer—whether you, in your own knowledge, knew him to be or not to be a Communist. There is no way of hedging on that question.

Dr. KELLER. I am not hedging, sir, but there are many people whom you might take to be Communists and some people who will take me to be a Communist, and I am very far from that.

Mr. SCHERER. Well, did you take Dr. Weinberg to be a Communist or not to be a Communist?

Dr. KELLER. This, sir, is precisely the kind of speculation I am unwilling to engage in.

Mr. SCHERER. It is certainly not speculation.

Mr. JACKSON. The question as I understand it is: Did you know, in your own personal knowledge, whether Dr. Weinberg was or was not a Communist?

Dr. KELLER. Sir, I took Dr. Weinberg to be a great lover of music and a fine speaker on Beethoven and an expert expounder——

(At this point Messrs. Harlow and Asia advised Dr. Keller.)

Dr. KELLER. Of quantum physics and a very intelligent person all around.

Mr. JACKSON. Did you know him to be a member of the Communist Party?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Sir, this question, being in the realm of what I consider speculation, because I have told you the extent of my true knowledge about people—and I am glad to tell you any more things if you ask me about whatever you like, provided I can answer truthfully and within the framework of my conscience. And for me to speculate as to whether anyone was a member of the Communist Party—I know—I realize you are asking me did I know that he was a member since I have already told you what I know. And that is it; there is no more room for speculation.

MR. JACKSON. Well, this certainly is not a speculative question. You have volunteered the information that you paid very little, if any, attention to the politics of individuals. This question lends itself very simply to a yes or no answer; it is not a matter of speculation. It is exactly the same question, the same situation as if you were asked if you knew a certain individual. You could say yes or no to that question, and the question that is being presently directed to you is as simple as that.

Did you know Dr. Weinberg to be a member of the Communist Party? If you did not know him to be a member of the Communist Party, all that it is necessary for you to say is "No."

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

DR. KELLER. Sir, for the reasons which I stated before, and not invoking any constitutional privileges, but only the dictates of my conscience, I am unable to speak about the politics of these individuals about whom I have no certain knowledge.

MR. JACKSON. Mr. Witness, we are not asking you to speculate about anything; we are simply asking you the direct question as to whether or not you, as an individual, knew Dr. Weinberg to be a member of the Communist Party. If you did not, it is very simple to say no.

And to further lend emphasis to this, you are directed to answer the question.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

DR. KELLER. Sir, would you please list for me perhaps the criteria that you have in mind? If I didn't recall seeing him at a Communist Party meeting?

MR. JACKSON. Not at all. There are no criteria involved in this question whatever. This is a question which can be answered and must, in the end, be answered in one of two ways: either by your answer "Yes" or your answer "No." There is nothing incriminating in it; there is no conjecture in it. It is simply a question which, as I say, can be answered with one word, without throwing any onus upon Dr. Weinberg. If you did not know him to be a member of the Communist Party, simply say "No."

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

DR. KELLER. Sir, may I have the last question?

MR. JACKSON. Yes. Did you know Dr. Weinberg to be a member of the Communist Party?

DR. KELLER. Sir, this is one of the questions outside of the realm of certainty, which I told you about before, which I am not morally able to answer.

MR. JACKSON. Do you decline to answer the question?

DR. KELLER. I don't decline to answer it, sir, but this is something—you want certain knowledge of mine.

MR. JACKSON. I want no uncertain knowledge from you.

DR. KELLER. Do I know Joe Weinberg to have been a Communist?

MR. JACKSON. Exactly.

DR. KELLER. Have I told you that I don't recall having seen him in one of these closed party branch meetings?

MR. JACKSON. Let us not deviate from the point. The question is did you know Dr. Weinberg to be a member of the Communist Party?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. DOYLE. While we are waiting for the witness to complete conferring with the 2 counsel, I think the record should show that we are glad to wait until he has had all the time he wants to confer with the 2 lawyers before he answers.

Mr. Chairman, may I suggest this as a possible aid to the witness' position?

Under Public Law 601, we are charged by Congress to investigate the extent to which the Communist Party, as a group of subversives, infiltrated education—any realm of activity. Therefore, I suggest—because I used to practice law a little—I would suggest that if Dr. Weinberg ever told you that he was a member of the Communist Party that would be one criteria by which you might refresh your memory, or if you ever saw his Communist Party card, or if you and he were discussing Communist Party matters and you in your language to him just assumed that he was a Communist and he never denied it where he was in a position to deny it, or where you saw any documents showing that he was a member of the Communist Party, or of course if you attended closed Communist Party meetings with him.

Now those are some of the points that might refresh your memory.

Mr. JACKSON. Yes, Mr. Doyle. I want to insist, however, that on this question there are no criteria.

Mr. DOYLE. That is right.

Mr. JACKSON. There is nothing to be considered in response to my question except whether or not you knew Dr. Weinberg to be a member of the Communist Party.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Sir, it seems to me that I have answered that in terms of the criteria that two people I saw and recall definitely seeing at party meetings; all others, including Mr. Weinberg, I do not.

May I say the reason why I am giving you so much difficulty on this point?

Mr. JACKSON. I should like to know.

Dr. KELLER. Because I am sure you consider it an academic question, but it isn't with me, because if I state that I didn't know Mr. A. to be a Communist and then I am asked about Mr. B.—did I know him to be a Communist, and then Mr. C—I am unwilling and unable in my heart to talk about these people's politics when they are not in the very small category of the people about whom I can speak certainly, and I trust—I am sure, to use Mr. Welch's phrase, that there is a great deal of decency left in the hearts of the gentlemen of this committee and in the American public to support what I consider this conscientious attitude on my part.

Mr. JACKSON. That is fine. I respect the observation.

Now let us go back to the question: Did you know Dr. Weinberg to be a member of the Communist Party?

Dr. KELLER. Sir, I have answered that as fully as I can.

Mr. JACKSON. Do you decline to give any further answer to that which you have already given?

Dr. KELLER. I can't answer no further.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. JACKSON. The Chair directs that you answer the question as it has been put.

Dr. KELLER. I have answered the question, sir, as fully as I am able.

Mr. JACKSON. And you are then basing your refusal to answer that question upon the grounds of moral scruples?

Dr. KELLER. Yes, sir, that is right.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. I am basing my inability to answer questions about the politics of people whom I don't know—whose politics I don't know for certain, whom I can't identify for certain as members of the Communist Party. I am basing my hesitancy in answering questions about all those people—conservative, liberal, left, whatever you like, on moral scruples; yes, sir.

Mr. JACKSON. Very well. Of course your counsel will advise you that moral scruples are no grounds for refusing to answer a question. They may be laudable but they have no standing. And for my part—and I speak only as an individual member of the committee—your refusal to answer that question is a clear and direct evasion of a question which could be answered very simply out of your own personal knowledge.

Dr. KELLER. Sir, may I state very briefly that if this question had come up in connection with one of my most conservative friends, I would take the same stand, because this is a position that I hold deeply—that it is not my privilege to talk in matters of this seriousness, where the reputations and the livelihoods of individuals and their families are involved.

Mr. JACKSON. Then, I take it from that, sir, that you are going to decline to answer any questions as to the Communist Party affiliations of any individual that you may know?

Dr. KELLER. No, sir. No, sir.

Mr. JACKSON. The same principle is involved.

Dr. KELLER. No, sir. I am perfectly willing, and I have already—I have already indicated my willingness.

Mr. DOYLE. Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. Stripped of your "conscientious" verbiage and explanation and moral scruples, do I understand that your answer is that you don't know whether or not he was a Communist? Is that what you are trying to tell us?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Mr. Doyle, I suppose I am too academic for this matter.

Mr. DOYLE. That certainly, Professor, is a simple question. Are you trying to tell us that you didn't know whether he, Weinberg, was a Communist? Is that what you are trying to tell us?

Dr. KELLER. I am telling you about the people I know to be Communists.

Mr. DOYLE. Let us refer to this man now. I am referring to this one man—and we assure you, we are worried about your answer because we don't understand it.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Gentlemen, Mr. Weinberg falls into the category of people whom I don't know, by the criteria that we have established, to have been in attendance with me, to my recollection, in closed party meetings—that category of people whom I do not know to be Communists.

Does that satisfy you, gentlemen?

Mr. JACKSON. I don't know about Mr. Doyle. It doesn't satisfy me.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. JACKSON. What you are saying is that you don't know whether Dr. Weinberg was a member of the Communist Party. Either you know or you don't know. Now which is it?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Gentlemen, if, to the best of my recollection, I never saw Dr. Weinberg at a closed party branch meeting—if, to the best of my recollection, I never saw a party book of his—if, to the best of my recollection, I never saw him pay dues, Communist Party dues—is that sufficient for you?

Mr. DOYLE. But you haven't included in that if, to the best of your recollection, you have never conversed about the subject of the Communist Party with him or that he admitted that he was a member. You have omitted that in your preliminary statement there.

Dr. KELLER. I didn't get the last point, Mr. Doyle.

Mr. DOYLE. I said you didn't enumerate whether you had ever had a conversation with him in which he said that he was a Communist.

Dr. KELLER. This matter of conversation, sir, I am sorry to say, does not fall into the framework of the certainty which I believe I can talk about.

Mr. JACKSON. Let us forget the framework.

Dr. KELLER. Yes, sir.

Mr. JACKSON. And let us forget all of the criteria.

What I should like to have from you, sir, is a statement that you did not know Dr. Weinberg to be a member of the Communist Party. You certainly cannot lay an onus upon his character in that regard, by so answering.

Mr. DOYLE. If that is a fact.

Mr. JACKSON. If that is a fact. Of course we want the truth.

(At this point Dr. Keller conferred with Messrs. Harlow and Asia.)

Mr. DOYLE. Again let the record show that the witness is having the benefit of all the time that he wants to confer with his counsel.

Mr. JACKSON. Are you prepared to answer, sir?

Dr. KELLER. Sir, I must answer that question in the way that I have previously: that in the realm of what I know to be certain as to anyone's being a member of the Communist Party, I have so testified; and, with regard to anyone else, they fall into a large category about whom I cannot say.

Mr. JACKSON. Then you did not know Dr. Weinberg to be a member of the Communist Party?

Dr. KELLER. That, sir, would certainly follow. However, on moral grounds, I refuse, or I hesitate—I beg you not to force me to say things about people other than the ones that I am sure about.

Mr. JACKSON. We are not attempting to force you to do anything, sir. We are attempting to find out simply whether or not you knew a given individual to be a member of the Communist Party. Now if you did not know him to be a member of the Communist Party, the greatest service you could pay him would be to say so.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Well, gentlemen, I realize the service that I could pay people or the disservice. That is not my intention; my intention is to be true both to the facts and to myself, and I am attempting to do that.

Mr. SCHERER. Mr. Chairman.

Mr. JACKSON. Mr. Scherer.

Mr. SCHERER. The more significant question was the one that I think I asked when we originally got on the subject of Dr. Weinberg. We have spent a lot of time on questions with reference to meetings that he may or may not have attended; we have spent a lot of time on questions of whether Dr. Weinberg was an actual member of the party or not. My question was—and we got away from it when I was interrupted—as a matter of fact, didn't you know Dr. Weinberg to be a Communist? That is the question that has never been answered. We got into the question of party membership, and I am not interested in party membership. I am asking if, as a matter of fact, you didn't know Dr. Weinberg to be a Communist, because of your close association with him? I will leave out "party."

Dr. KELLER. Leave out these closed branch meetings, sir?

Mr. SCHERER. Leave out anything. That was my original question.

Dr. KELLER. I believe you are suggesting that I leave out the closed branch meetings.

Mr. SCHERER. I think you understand me, Witness, and I think I know what you are doing. This isn't fooling me one bit. You are skirting the edges so we can't get you for perjury, that's all.

Dr. KELLER. Sir, I believe I have answered that question to the best of my ability.

Mr. SCHERER. Mr. Chairman, I ask that you direct him to answer the question whether or not he doesn't know, as a matter of fact, that Dr. Weinberg was a Communist.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Sir, may I ask you to define "as a matter of fact"?

Mr. SCHERER. Witness, you have certainly had a much better education than I have had.

Dr. KELLER. But you evidently don't accept my interpretation.

Mr. SCHERER. Maybe I have to get a few more degrees.

Dr. KELLER. My interpretation, which I stated, and which Mr. Jackson—

Mr. SCHERER. Let us leave out the words "as a matter of fact."

Did you not know Dr. Weinberg to be a member of the Communist Party?

Dr. KELLER. But it is precisely on this basis of fact that I want to testify, sir.

Mr. SCHERER. Well, I asked you, and you told me to leave out the reference "as a matter of fact." I used those words and now you want me to put those words back in.

Dr. KELLER. No. I asked if you might define it, sir.

Mr. SCHERER. They are simple English words and a man with your background and education certainly understands whether or not you knew Dr. Weinberg to be a Communist.

Did you direct him to answer?

Mr. JACKSON. Yes, a direction has been issued.

Dr. KELLER. Mr. Chairman, answering this question would force me into the realm of speculation outside the area of certainty which I can testify about under oath.

Mr. SCHERER. And you are refusing to answer for the reasons that you have just stated—that it would involve speculation?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. To speak about people as members of the Communist Party or not members of the Communist Party upon a basis of other than having seen them in closed Communist Party branch meetings, to me, gentlemen—not necessarily to you—but to me, in my heart, is not a moral procedure.

Mr. SCHERER. You put the word "party" into your statement. I specifically left out "membership in the Communist Party," because I can see how you could evade answering that question. But you cannot evade, if you answer truthfully, whether or not you knew Dr. Weinberg to be a Communist.

Dr. KELLER. Sir, it isn't my intention to evade but to answer to the best of my ability, and I hope—I believe that I have done that.

Mr. SCHERER. I know Mr. Doyle here very well to be a Democrat and I have never sat with him in a Democratic meeting. I have never even asked him whether he was a Democrat, but I know he is a Democrat.

Dr. KELLER. Sir, I have the same impression. However, if I were under oath and harm might come to Mr. Doyle or harm might come to me as a result of so testifying, I would be very reluctant indeed, and that is the point I am trying to establish, and I do hope you will accept it.

Mr. SCHERER. I know what you are attempting to do—just what I said a few minutes ago.

Mr. JACKSON. Of course Mr. Doyle has been brought into what I think is one of the most fallacious arguments that has ever been advanced, in saying that it would do Mr. Doyle harm if I said I know whether he is a Democrat or not; and that is precisely what you are asked to testify to—whether or not you knew Dr. Weinberg to be a member of the Communist Party.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. JACKSON. Do you know or do you not know whether he was a member?

(Conference continues.)

Mr. DOYLE. I would like the record to show again, Mr. Chairman, that the witness has been conferring with his counsel for several minutes.

Dr. KELLER. Mr. Scherer, I do not recall seeing Dr. Weinberg at closed Communist Party meetings.

Mr. SCHERER. We have passed that a long time ago.

Mr. JACKSON. That is not an issue.

Dr. KELLER. I do not recall.

Mr. SCHERER. I never saw Mr. Doyle's party membership card, nor have I ever seen him at a Democratic meeting—because I wouldn't be caught there; but I would be willing to testify under oath that he is a Democrat and a good one.

Dr. KELLER. You know him better than I do.

Mr. JACKSON. If this answer is simply going to the point of the criteria that has been established, there is no use in pursuing it any further.

Mr. SCHERER. I don't know Mr. Doyle as well as I know you knew Dr. Weinberg.

Mr. JACKSON. Are you finished?

Mr. SCHERER. Yes.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I have one more question, and I am deliberately asking it this way, trying to see if we can get an answer that appears more satisfactory as a matter of record from you under oath, particularly as these Congressmen feel that your present answer is very unsatisfactory to us in our official capacity.

Do I understand that the reason you project moral scruples at this time when you answer these questions of whether or not you knew Dr. Weinberg as a member of the Communist Party or as a Communist is because you are uncertain at this time as to whether or not you knew him as having been a member of the Communist Party back there 10 years before? Is it uncertainty that is making you answer this way or what?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Of course, sir.

It is indeed this uncertainty which motivates me; but it motivates me further, because as soon as I am uncertain I am unable to answer.

Mr. DOYLE. We aren't asking you to state positively if you are uncertain. You ought to know that as a doctor, as a highly educated man, a university graduate with several degrees. I think you ought to know it. Pardon me if I have assumed something that is not in evidence, but you ought to know that.

I have no more questions.

Mr. JACKSON. Did you know Dr. Frank Oppenheimer at the University of California?

Dr. KELLER. Yes, sir.

Mr. JACKSON. Did you know him to be a member of the Communist Party?

Dr. KELLER. Sir, Dr. Oppenheimer I knew very little, and I wouldn't know anything at all about his politics. If you want me to say that I didn't know him to be a member of the Communist Party—I didn't know him to be a member of the Communist Party.

Mr. JACKSON. That is exactly what I want to know. Now did you know Dr. Weinberg to be a member of the Communist Party?

Now there are two individuals. On one, in answer to the question regarding Dr. Oppenheimer, you had no hesitation in saying you did not know him to be a member of the Communist Party. I will now put to you the question as to whether you knew Dr. Weinberg to be a member of the Communist Party?

Dr. KELLER. The difference, sir, is that I don't know enough about Dr. Oppenheimer's politics; he being a full professor and already a distinguished scientist and I being a student, I didn't know enough about his politics to be able to speculate in any manner.

Mr. JACKSON. But you didn't know him to be a member of the Communist Party?

Dr. KELLER. If I knew him very casually, obviously I didn't.

Mr. JACKSON. You knew Dr. Weinberg well, though?

Dr. KELLER. If I were to answer about Dr. Oppenheimer, I could speculate about him.

Mr. JACKSON. We don't want any speculation.

Dr. KELLER. I have already answered Mr. Doyle about the matter of certainty in speaking about Dr. Weinberg's Communist Party membership or political affiliations.

Mr. JACKSON. Because you knew Dr. Weinberg, you knew less about his political philosophies, is that it?

Dr. KELLER. Does that follow, sir?

Mr. JACKSON. Very well.

Mr. SCHERER. You know now that Dr. Oppenheimer was a member of the Communist Party at one time, don't you?

Dr. KELLER. No, sir, I do not.

Mr. SCHERER. Do you read the papers?

Dr. KELLER. Yes, sir.

Mr. SCHERER. Haven't you read that he has admitted membership at one time?

Dr. KELLER. I don't recall reading that, and if I read it it would be merely to repeat what I read in the paper. I don't know, myself, from personal experience, about anybody being a member of the Communist Party outside of the people that I mentioned in that light.

Mr. JACKSON. Yet you very promptly stated, with relation to Dr. Oppenheimer, that you did not know that he was a member of the Communist Party.

The strange and fantastic paradox is that you quite frankly admit that you have not the slightest idea as to whether or not Dr. Oppenheimer was a member of the Communist Party, but with reference to a personal friend, whom you knew much better, you are not prepared to make the same statement.

Mr. DOYLE. In connection with that, Mr. Chairman, I have been watching the clock, and we have taken 34 minutes on this question as to whether or not the witness knew Dr. Weinberg as a member of the Communist Party. I think the record should show that so that you will all realize that the witness has not been hurried in any sense.

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. Where did Dr. Joseph Weinberg live?

Dr. KELLER. I don't recollect the address, sir. It was near the campus, one of the streets—let me get my directions straight—north of the campus. No—no—in the direction—when you go out of the University of California campus, through Cedargate Walk—along in there somewhere. I haven't lived in Berkeley for many years now. But it is in that general area, I presume.

Mr. TAVENNER. Did you ever live in the same apartment house in which he lived?

Dr. KELLER. Not to my recollection, sir.

Mr. TAVENNER. Do you know the names of other persons who did live in the same apartment house?

Dr. KELLER. Not as far as I can recall, sir.

Mr. TAVENNER. Do you know where Steve Nelson lived?

Dr. KELLER. If I did at one time, I don't recall it now, sir.

Mr. TAVENNER. Did you visit his home at any time?

Dr. KELLER. I have no recollection of that at all.

Mr. TAVENNER. Were you acquainted with Louise Bransten?

Dr. KELLER. The name doesn't ring a bell, sir.

Mr. TAVENNER. Were you acquainted with Dr. Giovanni Rossi Lomanitz?

Dr. KELLER. Sir, I believe that he was a graduate student or a student at the University of California whom I met, yes, sir. If this is the person that I am thinking of, he was called Rossi. That evidently is his middle name, but I recall dimly such a person.

Mr. TAVENNER. Was he a member of a group of the Communist Party of which you were a member?

Dr. KELLER. Sir, I come back to the stand I took before on all people that I knew very little and would have to speculate about their politics. If I tell you how I knew him——

Mr. TAVENNER. Was he a member of your group of the Communist Party?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. Sir, this gentleman that you mention is someone that I knew very slightly, and I would be on what I consider poor moral ground in speculating at all about his politics.

Mr. JACKSON. You wouldn't need to unless you knew him to be a member of the Communist Party. Did you so know him?

Mr. KELLER. I am unable to speculate about him or any of the other people.

Mr. JACKSON. I am not asking you to speculate; I am asking if you knew him to be a member of the Communist Party?

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Mr. JACKSON. If you did not so know, say so.

Dr. KELLER. Sir, I have no recollection whatsoever of seeing the person that I remember meeting as Rossi in a meeting, a closed meeting, of the Communist Party branch.

Mr. JACKSON. Irrespective of that, did you know him as a member of the Communist Party?

Dr. KELLER. I knew him as neither a member of the Communist Party nor anything else, sir.

Mr. TAVENNER. We are not going to take up the time of the committee to inquire regarding your knowledge of any other persons, but we will in the course of time desire to interrogate you further with regard to other persons.

Let me ask you about your trip to France in 1939. What was the purpose of that trip?

Dr. KELLER. The purpose of my trip was to gain some firsthand acquaintance with France, which had been the subject of my studies for a long time.

Mr. TAVENNER. Did you use the trip as an opportunity to gain any further information regarding communism?

Dr. KELLER. No, sir, that was not one of my purposes.

Mr. TAVENNER. Did you pursue the study of communism in any way while in France?

Dr. KELLER. Well, sir, I was interested in politics at that time. This was 1939 and it was just before the outbreak of the war, and I went to a good many events in Paris, both cultural and political—mostly cultural, operas and plays, and also did the usual social things that a person that age does in Paris.

Mr. TAVENNER. Let us confine ourselves just to communism.

Dr. KELLER. Yes, sir. In the realm of communism I recall going to one large meeting addressed by Maurice Thorez, and also Jacques Duclos addressed that meeting; and, if I remember correctly, I went up to the platform. It wasn't a platform, it was a large schoolyard, and I went up there to where the speakers were and introduced myself and shook hands with Jacques Duclos, which at the time I was very proud doing. I had never heard of him before I went to France, but he evidently was one of the leaders of the Communist Party and I was one in this country, so I considered it as somewhat of a treat to meet the gentleman, although he didn't pay much attention to me.

On another occasion, seeing an announcement of a neighborhood party group or branch, or whatever it was in one of the residential district affairs, I went to that one and introduced myself at the door and went in. This was in 1939. I was 23 years old and rather enthusiastic to take in every aspect of France I could. I could say the same things about a good many other activities that I did there.

Mr. TAVENNER. Were you convinced that Jacques Duclos was a member of the Communist Party?

Dr. KELLER. I have no certain knowledge about Jacques Duclos, sir, except that I have read in the papers that he was a Communist leader in France.

Mr. JACKSON. After he wrote the Duclos letter, did you reach the conclusion that he must be a Communist? That is a reasonable assumption. I don't think we can harm Mr. Duclos' reputation here in any way.

I don't want any conjecture. Unless you are confident that he is a member of the Communist Party, I wouldn't want you to state it.

Dr. KELLER. Thank you, sir. I know that in the papers Duclos is often referred to as a leader of the Communist Party, and I don't see any reason why I should dispute that.

Mr. JACKSON. No. It is a reasonable assumption.

Proceed, Mr. Counsel.

Mr. TAVENNER. Did you terminate your relationship with the Communist Party at any time?

Dr. KELLER. Well, it is terminated and it terminated a good many years ago. Since the Communist Party is not an organization from which one resigns very readily—I can't show you a document that I terminated my membership. I can answer your question—yes, I terminated by simply not going to any more meetings or participating in any Communist activities of any sort.

Mr. TAVENNER. When do you consider that you terminated your relationship with the Communist Party?

Dr. KELLER. Well, as I said, in order to be safe, though I felt rather removed in about the middle of 1945, I would say that by the end of 1946 it was definitely terminated; I no longer considered myself a Communist. And I can say this about myself, incidentally, because I know—I know for sure that I did not consider myself a Communist.

Mr. TAVENNER. Did you become acquainted with a person by the name of Paul Chown?

Dr. KELLER. Where is that, sir?

Mr. TAVENNER. In Seattle.

Dr. KELLER. No.

Mr. TAVENNER. Or in San Francisco?

Dr. KELLER. In that area I did become acquainted with Paul Chown, yes, sir.

Mr. TAVENNER. Do you know how he was employed at the time you knew him?

Dr. KELLER. I don't have any recollection of that, sir.

Mr. TAVENNER. Did he live in your home?

Dr. KELLER. I don't have any recollection of that, sir.

Mr. SCHERER. Was that question did he live in his home?

Mr. TAVENNER. Yes, sir. Either in San Francisco or in Seattle for any period of time?

Dr. KELLER. Well, now, would you include in that, sir, his staying overnight with us, or something of that sort?

Mr. TAVENNER. Yes, I will include that.

Dr. KELLER. Oh. Oh, yes, I think on 1 or 2 occasions.

Mr. TAVENNER. How long would he spend at your home on occasions such as you have mentioned?

Dr. KELLER. I would say 1 or 2 days, and probably once or twice in Seattle. I have no recollection of that in Berkeley, sir.

Mr. TAVENNER. Was he known to you to be a member of the Communist Party?

Dr. KELLER. Sir, I must answer this question in the same manner as the other, as Paul Chown being one of the people about whom I have no certain knowledge as to his political views or affiliations, or as to his being a member of the Communist Party or as to his being a member of any other organization. I have no certain knowledge about his politics, and I hope I may be excused from speculating about him.

Mr. JACKSON. You did not then know him to be a member of the Communist Party?

Dr. KELLER. Sir, may I say for all people other than the 2 whom I mentioned before and the 2 whom Mr. Tavenner mentioned to me, that about all these people I have no certain knowledge that they were members of the Communist Party.

Mr. JACKSON. Very well, you have no certain knowledge then that the individual in question was a member of the Communist Party. You have no certain knowledge that Dr. Weinberg was a member of the Communist Party.

(At this point Messrs. Harlow and Asia conferred with Dr. Keller.)

Dr. KELLER. I have answered that for all these people, outside of the ones already—

Mr. JACKSON. Specifically, you have no certain knowledge that Dr. Weinberg was a member of the Communist Party.

Dr. KELLER. Including the ones you mentioned.

Mr. JACKSON. That is correct?

Dr. KELLER. That is correct.

Mr. TAVENNER. Mr. Chairman, I am not going to ask the witness any further questions at this time, but I desire to reserve the right to do so later.

Mr. JACKSON. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I would like to ask this.

Doctor, I noticed that you made this statement, and I wrote it down: "Because they were made up of intellectuals like me. I knew nothing of espionage."

Do you remember using that phrase—"Because they were made up of intellectuals like me"?

Dr. KELLER. I think I recall that, sir.

Mr. DOYLE. What does that mean? Does that mean there were no people that worked for daily wages in any of these Communist groups that you were a member of?

Dr. KELLER. That is a fairly accurate statement, sir. I was associated with people like myself, who were connected with the university as far as I can recall and as far as I knew, because many of these people I just didn't know at all.

Mr. DOYLE. And you joined the Communist Party in what year?

Dr. KELLER. As I recall it, 1938.

Mr. DOYLE. And you stayed in the Communist Party until 1946?

Dr. KELLER. That is right, sir.

Mr. DOYLE. And you were an intellectual.

What was there in the Communist Party all those years that held you in it as an intellectual as contrasted to the theory of the American Constitution and Government with a free competitive enterprise system?

Dr. KELLER. The thing that held me at the time that I was most strongly held was the so-called Browder line or the Browder position that communism was an extension of American tradition—20th century Americanism, if I remember the phrase correctly. That is the time that I was the happiest, because the Communist position at that time appeared to be an expansion—seemed to base itself on American traditions, and I firmly believed, along with the followers of the Browder position, that it was possible to bring about important changes in our form of government, in our institutions, within our democratic framework and by democratic means. Some of the things that were included and the reasons why I believed in the program at that time were what appeared to me a vigorous opposition to racial discrimination.

Mr. DOYLE. Were there any Negroes in any of the Communist branches that you were a member of?

Dr. KELLER. I have no recollection.

Mr. DOYLE. Well, now, think a minute. You have classified yourself as an intellectual. If you were opposed to intolerance on account of color, you would remember whether or not there was any Negro in any of those Communist groups.

Dr. KELLER. Since I have no recollection and since there are very few Negroes, if any, who became graduate students or who did at that time at the University of California, on the face of it it would seem to me no.

Mr. DOYLE. Very well.

Let us hurry along then—because you have taken over an hour and 5 minutes. I have just a couple of questions that I made note of here.

I was interested and quite shocked to hear you say, "I was in no position, physically, to attend the Communist meetings any more, as I was teaching in Stockton," and you, as I recall it, sir, gave that as the reason that you didn't continue attending Communist party meetings—not because you had changed your philosophy one iota. As I recall, the reason you stated that you grew away from the Communist Party meetings was because you couldn't get to them, physically. Now isn't that a fact?

Dr. KELLER. I would say both of those are facts.

Mr. DOYLE. They are facts?

Dr. KELLER. It seems to me that that is an accurate statement. The immediate reason why, in any case, I couldn't have attended Communist Party meetings during the years 1945 and 1946, which is the year you are speaking of, is that I was out of town; I was away from Berkeley. The other reason why I didn't and perhaps would not have had I been in Berkeley was that after the reversal of the Browder posi-

tion I no longer felt close to the Communist stand. As I said, it was during the time of the Browder policy that I was the happiest; and, after that, having in the past, as a matter of fact, not been a very good member in following party line, I didn't feel close to the party any more.

Mr. DOYLE. Just to make a brief observation, Mr. Chairman, I think, as a matter of historical record, that about that time, in April or May 1945, the Duclos letter came to this country, at which time Mr. Browder was deposed as the head of the American Communist Party and Mr. Foster went in. At that time, as I recall it, the American Communist Party took up again the philosophy of the Soviet Communist Party, which advocated then, as it does now, the use of force and violence if the capitalists resist the forceful revolution.

But you had attended Communist Party meetings since that time, hadn't you?

Dr. KELLER. Well, sir, I might say in partial explanation of this—that this is a rather personal thing; that I am a rather slow type of individual—I do things very slowly. Things grow upon me and it is difficult for me to make a break from something. This just happens to be true.

And during the time I was in the party, and even attending meetings with some regularity—though never very regularly—I often differed on things like whether Gerald L. K. Smith ought to be permitted to speak, and so on.

Mr. DOYLE. May I interrupt you? Because we are not interested in him at this time.

I will ask you to answer my question. Isn't it the fact that after you had knowledge of the fact that Earl Browder was deposed from the American Communist Party because he advocated the coexistence of the Communist philosophy and the American free competitive enterprise system in the same world—isn't it a fact that after he was deposed and discharged from the American Communist Party because he advocated that and after it became known to you that the American Communist Party had taken back again the philosophy of using force and violence, if necessary, to put over their revolution if the capitalists resisted them, you still identified yourself with Communist Party meetings? Is that true?

Dr. KELLER. If the dates at which the party reversal took place are accurate, I should think—

Mr. DOYLE. They are approximately accurate in your mind.

Dr. KELLER. What I can say is that a short time after this reversal, I felt out of sympathy with the party position.

Mr. DOYLE. Did you drop out of the Communist Party a short time after that? If not, why not?

Dr. KELLER.—I am afraid my only answer to that can be a personal one.

Mr. DOYLE. Well, it is very personal, I should think.

Dr. KELLER. Yes, sir, it is. It took me a long time to join the Communist Party. You might equally ask me why I didn't join the Communist Party before 1938.

Mr. DOYLE. I am going to interrupt you at this point and make a very brief statement about the time that we have taken with you. We have done so in order that you might have no possible feeling that you have been hurried in your answers.

But I wish to say that I have been asked many, many times why intellectuals are attracted to the Communist philosophy and why it is after this Duclos-Browder-Foster incident in April and May of 1945 you gentlemen who classify yourself as intellectuals still stayed in the Communist Party, knowing the philosophy of Duclos of using force and violence if and when necessary.

Now I just pray to God, sir, that there are not many intellectuals in our American universities that are as slow as you were in getting out of it.

Mr. JACKSON. Do you have anything further, Mr. Scherer?

Mr. SCHERER. I have nothing further.

Mr. JACKSON. Do you have any further questions, Mr. Counsel?

Mr. TAVENNER. I have one further question.

What have you done since 1946, if anything, against the Communist Party?

Dr. KELLER. Well, sir, I hope I have done some good things in other directions.

That is a rather negative question. I believe that I am a good loyal American, and I believe that I support the causes that I believe in; and, for the most part, of course I have lost my great interest in politics, which never occupied a very important position in my life. But in the last years, with a family and with an academic position, I am not a very active person in politics.

Mr. TAVENNER. Have you ever taken a public position against communism since you withdrew from the party?

Dr. KELLER. There has never been any occasion for it, sir. I am not a celebrity and nobody was much interested in my politics, until this moment, that is. I teach, and it seems to me that my teaching, to the extent that this comes up, is in accord with good American democratic principles.

I don't know precisely what you mean, sir. There wouldn't be occasion for me to make a public announcement of the fact that I am out of sympathy with the Communist Party.

Mr. TAVENNER. Have you been requested at any time since 1946 to disclose the fact as to whether or not you were a member of the Communist Party, other than the time that you visited the State Department with regard to your passport?

Dr. KELLER. In the form of a signed or sworn statement?

Mr. TAVENNER. Yes, or casual inquiry—either one.

Dr. KELLER. I can't recall if anybody ever asked me whether I am a member of the Communist Party—I am perfectly willing to tell them the truth. I do recall that when the University of Washington, along with the rest of the State of Washington, instituted its present loyalty oath, I was required to swear that I was not a member of a subversive organization, and I presume that the Communist Party means "subversive organization." I signed that statement, sir, I believe that was in 1951.

Mr. JACKSON. That was compulsory on the part of all faculty members.

Dr. KELLER. Yes, sir, that is a required oath; that is right.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Scherer?

Mr. SCHERER. No questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I have no further questions.

Mr. JACKSON. I should like to make a very short observation, and I speak only for myself in this matter, unless the other committee members wish to associate themselves with it.

With regard to the testimony of any witness before this committee, the character of that testimony can only be judged, in my opinion, by complete willingness, complete and absolute frankness with respect not only to one's own activities while a member of the conspiracy, but also extending to the point of a free and frank discussion of those with whom he was associated in the conspiracy. The character of the testimony of the present witness, in my judgment, has not been marked by such forthright statements, particularly with reference to the testimony concerning Dr. Weinberg. In that connection I consider the testimony to be inadequate, incomplete and evasive.

Is there anything further, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. DOYLE. I wish the record to show that I join in that appraisal of the witness' testimony.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. Subject, if you please, to our desire to question the witness further.

Mr. JACKSON. Very well. The subpoena under which the witness appeared today is extended and the witness or his counsel will be notified. (Witness was excused.)

(Whereupon, at 3:25 p. m., the hearing was recessed, to reconvene at 3:40 p. m.)

(Whereupon, at 3:40 p. m., the hearing was reconvened.)

Mr. JACKSON. The committee will be in order.

Let the record show that a quorum of the subcommittee is present. Call your next witness.

Mr. TAVENNER. Mr. Harold W. Sunoo.

TESTIMONY OF HAROLD W. SUNOO

Mr. JACKSON. Will you raise your right hand, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. SUNOO. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

Mr. SUNOO. Harold W. Sunoo.

Mr. TAVENNER. It is noted that you are not accompanied by counsel. It is the practice of the committee to explain to each witness that he has a right to consult counsel at any time he desires during the period of his testimony.

Mr. SUNOO. Yes, sir.

Mr. TAVENNER. Are you willing to proceed without counsel?

Mr. SUNOO. Yes, I am.

Mr. TAVENNER. When and where were you born, Mr. Sunoo?

Mr. SUNOO. I was born in Puiong-Yang, Korea, February 2, 1918.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. SUNOO. Yes, I am.

Mr. TAVENNER. When and where were you naturalized?

Mr. SUNOO. December 1945, Phoenix, Ariz., where I was in the United States Army.

Mr. TAVENNER. Where do you now reside?

Mr. SUNOO. San Francisco, Calif.

Mr. TAVENNER. What is your occupation?

Mr. SUNOO. I am an editorial clerk on the San Francisco Chronicle newspaper.

Mr. TAVENNER. Will you tell the committee, please, what your formal educational training has been?

Mr. SUNOO. I finished my high school in Korea. I went to Tokyo, Japan, attended Aoyama Gakuin Seminary, a missionary school. I attended there 2 years preparing to be a minister in the Methodist Church.

I came to the United States in 1938, attended the Bible Institute of Los Angeles and transferred to Pasadena College, Pasadena, Calif., from 1938 to 1943. I received my bachelor of arts.

I went to the University of California at Berkeley, stayed there 1 year teaching and studying.

I came to the University of Washington 1943, studying and teaching, 1943 to 1949. I received my master of arts—studied for my doctorate.

I also had correspondence study at the London School of Economics, University of London. I went to Czechoslovakia. I went to King Charles University. I received my doctorate in history.

I came to the United States back in 1950, attended Stanford University, Golden Gate University—business course, and went some more night school, University of California during the night.

Mr. TAVENNER. Were you one of the witnesses in behalf of the Government in the Smith Act case recently tried in Seattle?

Mr. SUNOO. Yes, I was.

Mr. TAVENNER. Will you tell the committee, please, whether or not you had any affiliation with the Communist Party in Korea, in Japan, or in this country prior to your becoming a student and teacher at Washington University in Seattle?

Mr. SUNOO. I never was affiliated with the Communist Party until I came to Seattle, Wash.

Mr. TAVENNER. Will you tell the committee, please, very briefly, how you became a member of the Communist Party after coming to Seattle?

Mr. SUNOO. I became a Christian at the age of 16 in Korea and determined to be a minister in the church. I dedicated myself for that mission when I was young. I came to America for that purpose and further training to be a minister, and I went to school for that purpose.

When I came to Seattle in 1943, my purpose and aim of life had not been changed. However, I came to some unpleasant experience in finding house and in the race prejudice problem, and I was very much shocked.

Mr. TAVENNER. Do you mean discrimination against you because of your Oriental origin?

Mr. SUNOO. That was the thought I had at the time. Of course it was wartime and very difficult to find a house and a room.

Up to that day I already believed the United States of America was the next nearest to paradise. That is the dream and ideas many thousands of Oriental youngsters have, and I was one of them.

When I went to United States Army, I traveled quite a bit in Southern States. I discovered unpleasantness, discriminating against Negroes, et cetera, and I was very much upset. I thought these were against the belief I had as a Christian.

When I came back to Seattle in 1946, after discharge from the United States Army—

Mr. TAVENNER. How long did you serve in the United States Army?

Mr. SUNOO. I served from June to December in 1945.

I was very much disturbed. At the time a man I was acquainted with previously, Dr. Joe Lane, retired physician, contacted me and tried to convince me that the Communist Party is the only party to fight against race discrimination, peace, equality, and so on.

At this time I have learned through my studies and through friends in Korea, divided north and south, occupied by Soviet Union in north and American troops in south, and information I received was predominantly in favor of communism; that is, most of it—say, 80 to 85 to 90 percent of intellectuals were in favor of communism or leftwing faction. And I consider myself as an intellectual, and I dedicated myself to the cause of free Korea. I didn't want to be left out from the intellectual groups and I didn't want to be left out from the future leadership.

And particularly at this stage, I want you to remember American foreign policy was leaving out Korea at the Pacific defense line that was specified by Dean Acheson's speech. So to my mind and to many intellectuals, as there were Korean Communists, Korea would be left out; that is, if Communists is strong enough to take over, Korea will be Communist state, and in my mind there was no question the Communists was most well organized party and the most efficient group and in due time would take over Korea.

With these external conditions and internal emotional and mental preparedness on my part, I was ready to join the Communist Party, which at the time dedicated and did promote for peace and equality for minority groups, and so on. So I was convinced by Dr. Lane and joined the Communist Party in 1946.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SUNOO. I left the Communist Party in August, 1949, at the time when I left Seattle for Europe.

Mr. TAVENNER. We want you to explain somewhat in detail the circumstances under which you terminated your affiliation with the Communist Party, but let us wait until the ordinary sequence develops that point.

Mr. SUNOO. In 1949, just prior to my departure from Seattle and leaving from the party—

Mr. TAVENNER. Let me suggest that I will give you full opportunity later to develop the circumstances under which you left the Communist Party. I wanted it to appear now that you have left the Communist Party, but let us go back to the time when you first became a member.

Were you assigned to a particular group or cell of the Communist Party when you became a member?

Mr. SUNOO. Yes, sir.

Mr. TAVENNER. What was the approximate date when you joined the party?

Mr. SUNOO. It was sometime early part of 1946, as soon as I came back from the Army. That is January 1946.

Mr. TAVENNER. Will you describe the group of the Communist Party to which you were assigned?

Mr. SUNOO. I was assigned to what was known as the University A Club.

Mr. TAVENNER. How many persons were members of that club?

Mr. SUNOO. There were about a half-dozen people in the club.

Mr. TAVENNER. Were any members of the faculty at Washington University members of that club when you joined it?

Mr. SUNOO. Prof. Joe Butterworth was chairman of the club.

Mr. TAVENNER. Were there any other persons identified with the university who were members of that club?

Mr. SUNOO. Later on, Dr. Herbert Phillips came into the club and Dr. Ralph Gundlach, I think, also did.

Mr. TAVENNER. How long did that group or cell of the Communist Party remain in existence?

Mr. SUNOO. In the beginning, when I became a club member there, I would say about a half-dozen people. Then later another University Faculty Club merged with that club, because of a small group remaining in the University Campus Club.

Mr. TAVENNER. Was that Campus Club made up of members of the student body, as well as persons associated as employees of the University, either as teachers or in other capacities?

Mr. SUNOO. There were different groups among students and faculty members; they did not mix together. I am referring to University Faculty Club—those were the members of faculty, not students.

Mr. TAVENNER. Now when you said Faculty Club, did you mean Faculty Club of the Communist Party?

Mr. SUNOO. That is right, sir.

Mr. TAVENNER. Who were the other members of the Faculty Club of the Communist Party besides those you have already mentioned?

Mr. SUNOO. I mentioned Phillips and Gundlach, who joined the University A Club later. Prior to that I do not know who were the members of University Faculty Club. I was not a member and I never attend their meeting.

Mr. TAVENNER. Do you know how long this Faculty Club continued to exist and operate on the campus?

Mr. SUNOO. As far as I know, it was there for some time, until we merged together with the University A and the Faculty Club together.

Mr. TAVENNER. After the merger took place, who were members of the faculty who became members of this group, in addition to those you have mentioned, if any?

Mr. SUNOO. There were none.

Mr. TAVENNER. How long did this merger group continue to exist as a Communist Party unit?

Mr. SUNOO. Until the time I left, was a merged group as University A.

Mr. TAVENNER. And what was the date when you left?

Mr. SUNOO. That was August 1949.

Mr. TAVENNER. During the period of time that you were a member of that group of the Communist Party, did you have occasion to meet higher functionaries of the Communist Party from Seattle?

Mr. SUNOO. Yes, I did. I met Henry Huff, John Daschbach, Tom Rabbitt, Barbara Hartle, Clayton Van Lydegraf, Ralph Hall, or those top leaders of the State at the time.

Mr. TAVENNER. Were there other members of your former country, either present or former citizens, who were members of this same group of the Communist Party?

Mr. SUNOO. Yes, there was one. His name is Lee. He was a reverend.

Mr. TAVENNER. What is his other name?

Mr. SUNOO. Reverend Lee.

Mr. TAVENNER. Reverend Lee. That is not his full name, however.

Mr. SUNOO. First name is Sa Min. He changed it to Sa Min from Kyung Sun.

Mr. TAVENNER. So Reverend Lee was a member of this group?

Mr. SUNOO. Yes, sir.

Mr. TAVENNER. Did he join before you did or after you became a member?

Mr. SUNOO. He joined in Washington, D. C., and transferred over to Seattle when he came out here.

Mr. JACKSON. You say he was a reverend. Was he an ordained minister?

Mr. SUNOO. Yes, sir.

Mr. JACKSON. Of what denomination?

Mr. SUNOO. He was minister in Methodist Church.

Mr. JACKSON. Where did his ordination take place?

Mr. SUNOO. In Korea, sir.

Mr. TAVENNER. Where is he now?

Mr. SUNOO. He is in North Korea.

Mr. JACKSON. As a minister, in North Korea?

Mr. SUNOO. No, sir. He went to North Korea through Europe about the time I went to Europe, via Moscow to North Korea. He is no longer holding minister of Methodist Church; he left the church and became a Communist.

Mr. TAVENNER. Do you know whether he holds any official position in North Korea?

Mr. SUNOO. I do not think so. I have heard he is still alive and they sent him to Communist leader-training camp for further orientation because he came from United States.

Mr. TAVENNER. Did you have occasion to discuss with Communist Party leaders in Seattle the plans of the Communist Party with reference to nationalist groups in this country?

Mr. SUNOO. The Communist Party at the time discouraged any national group as such group isolated by themselves. They object to such group, and once Van Lydegraf told me the Communist Party had the unpleasant experience with a Norwegian group in Seattle. They had a Norwegian branch, national group, and they became isolated and became ineffective, so the policy was not to have isolated nation groups at the time.

Mr. TAVENNER. Will you tell the committee what interest the Communist Party of the United States took in problems of your nation at that time?

Mr. SUNOO. At the time my position was definitely for North Korea and for North Korea's unification—unification of Korea under North Korea's domination; that is, in Communist domination—and my view

was well expressed on numerous occasions, and the party, I believe, endorsed my view.

Mr. TAVENNER. Did you attain sufficient prominence in the Communist Party here to be given an office of any character in the Communist Party?

Mr. SUNOO. Yes, sir. I became educational director of 32d subdistrict of North King County district, after I received 2 weeks intensive training in the leaders' training school.

Mr. TAVENNER. Where did you receive that training?

Mr. SUNOO. In Seattle.

Mr. TAVENNER. What was the name of the school, if it had a name?

Mr. SUNOO. It was named Northwest District Communist Leadership Training School.

Mr. TAVENNER. Who were the teachers in that school?

Mr. SUNOO. Henry Huff, Van Lydegraf, Ed Alexander, Barbara Hartle, Ralph Hall. Andrew Remes also was there.

Mr. TAVENNER. Did your duties as educational director carry you to various clubs within the district?

Mr. SUNOO. I didn't have to attend every club meeting. However, I was assigned to see each club's educational program carried out. My job was to contact those educational directors of the clubs.

Mr. TAVENNER. What were the names of those clubs?

Mr. SUNOO. There were 6 clubs under my jurisdiction: University "A"—my club, University Faculty Club, Union Bay Village Club, and 2 student clubs.

Mr. TAVENNER. Now you mentioned again this faculty club. You have told us that the faculty club merged with branch "A" of Washington University. What was the reason for the merger?

Mr. SUNOO. After the Canwell committee hearing, the faculty clubs of the Communist Party practically became ineffective and could not be carried out.

Mr. TAVENNER. Why was that?

Mr. SUNOO. There were no Communists on the faculty—no reason to keep faculty where there was no members.

Mr. TAVENNER. It was a name only, without component parts; is that it?

Mr. SUNOO. That is right, sir.

Mr. TAVENNER. Well, what was the effect, generally, of the Canwell hearings upon the Communist Party?

Mr. SUNOO. As I understand, some time ago they had quite a big sizable faculty Communist club, numbering somewhere around 15, but the time when I left—well, after the Canwell committee hearing, as far as I know, I was the only Communist faculty member remaining, because some were discharged from the university and some announced that they were no longer members—for those reasons.

Mr. TAVENNER. In other words, as a result of exposure, the Communist Party was retarded very substantially in its activities in that neighborhood?

Mr. SUNOO. That is correct, sir.

Mr. TAVENNER. And to such extent, the remnants had to merge with another group of the Communist Party?

Mr. SUNOO. That is right, sir. Dr. Phillips and Professor Butterworth were no longer members of the faculty and, naturally, they couldn't be qualified to member of faculty club.

MR. TAVENNER. Now I would like to ask you numerous questions regarding your experiences in the Communist Party in Seattle, but time does not permit us to do it—at least at this time.

Let us go directly to another subject matter. During the period that you were a member of the Communist Party in Seattle, to what extent did you keep in touch with other persons of your original nation or citizenship?

MR. SUNOO. I had been closely contact and observed the situation in Korea; especially I was attempt to make a contact with the leaders of North Korea, seeing that how I, as a Communist, can be helpful to the cause of North Korean Government.

MR. TAVENNER. Have you reported these facts and what you now propose to tell this committee to the Federal Bureau of Investigation?

MR. SUNOO. My testimony, I believe, is in the file of the Federal Bureau of Investigation or Immigration office.

MR. TAVENNER. Were any other persons interested, along with you, in seeking a means of keeping in touch with the Communists in North Korea?

MR. SUNOO. Reverend Lee was also very much interested, more than perhaps I was. We were trying to do something to that effect—helping North Korean Government.

MR. TAVENNER. Now to what extent, if any, did Communist Party leaders here in Seattle know of your general purposes to get in touch with Communists of North Korea?

MR. SUNOO. I did not seek any advice from them and they didn't tell me about the problems. What I have done with regard to that problem was my own, limited to my Korean friends alone.

MR. TAVENNER. What was the policy of the Communist Party of the United States, insofar as you observed it in Seattle at that time, with regard to cooperation between the Communists of the United States and the Communists of Korea?

MR. SUNOO. The Communists here at the time was not too much interested in Korean problems, but they did express and they were interested in Chinese problems, because China became Communist in 1948. All Communists were very much excited over the situation; and I was, excepting Reverend Lee, only oriental Communist around here and, knowing better than most other Communists do situation about the Far East, I was invited to address number of Communist meetings about Chinese situation. And I remember Ed Alexander, as a district education director, issued an outline about China—how significant it is that China became Communist—and I very much agreed with the pamphlet and I spoke a great deal about it.

MR. TAVENNER. This was before matters in Korea had become acute, was it not?

MR. SUNOO. That is right, sir.

MR. TAVENNER. About what is the date or period of which you have just been speaking?

MR. SUNOO. 1948 to 1949. That is before Korea war became exist and Korea became the focus of attention of the people.

MR. TAVENNER. Now you said there was an effort or at least a desire on your part, as a former citizen of Korea, to get in touch with the Communists of North Korea. What did you do about that?

MR. SUNOO. Reverend Lee and I sent a long informative letter addressed to Premier Kim Il Sung of North Korean Government and

the Foreign Affairs Minister Pak Hyun Yong. We sent a letter addressed to these persons.

Mr. TAVENNER. Now Kim was the Prime Minister of North Korea and Pak was the Foreign Minister, is that correct?

Mr. SUNOO. That is right, sir.

Mr. TAVENNER. What method was used to transmit this document to the Prime Minister of Korea, North Korea?

Mr. SUNOO. We had tried to send through mail. We knew that it would be very dangerous and difficult, if not impossible. At the time we had Korean friend in Seattle who was going to go to Korea, South Korea, that is, to get his children over to United States—his wife was here; and he was willing to take the message, the letter. We gave it to him.

Mr. TAVENNER. Was it the intention that this document should be delivered to underground sources in South Korea for delivery eventually in North Korea?

Mr. SUNOO. We knew that there were underground movement between North and South Korea and we also were convinced if we give this letter to underground agent in South it would go to the hands of North Korea, and get reply back when he returns back here. We had that assurance—not in the absolute sense, but we believed it could be done.

Mr. TAVENNER. What was the name of your friend who was in Seattle at the time who would perform this duty of delivery of the document to an underground source in South Korea?

Mr. SUNOO. His name is Namkung—last name, and Joshel—J-o-s-h-e-l.

Mr. TAVENNER. Was such a letter or document prepared?

Mr. SUNOO. It was prepared by Reverend Lee, and I was cosigner of the letter.

Mr. TAVENNER. Will you state, in a general way, what the purpose of this document was?

Mr. SUNOO. The main idea was to inform the situation, that is, political and economic situation of the United States and suggest that what we Communist sympathizers among Koreans here in the United States could do for the cause of Korean Communists, particularly in the sense of propaganda—that is, "North Korean Government is the government of the people and the choice of the people"—in that effect.

Mr. TAVENNER. I hand you a photostatic copy of a document which I have earlier handed to you and which you have thoroughly read. Will you examine it, please?

(Witness examined document.)

Mr. TAVENNER. Will you state whether or not that is the document which I have handed to you earlier and which you have thoroughly read?

Mr. SUNOO. This is the document which I have read previously, the complete translation of Korean which we have sent to North Korea through Mr. Namkung.

Mr. JACKSON. It is in all respects an accurate translation of the original letter?

Mr. SUNOO. I believe it is; unless I have original copy to compare word for word, I cannot make sure and make a positive statement.

Mr. JACKSON. But in general?

Mr. SUNOO. In general, yes.

Mr. JACKSON. Thank you.

Mr. TAVENNER. After having read the document, you are able to identify it as containing the information which was in the original document written in the Korean language and which you delivered for transportation to South Korea, thence to North Korea?

Mr. SUNOO. That is correct, sir.

Mr. TAVENNER. The document has no date on it. Do you recall the approximate date when the document was prepared?

I beg your pardon. At the close of the document there is a date. Will you examine it, please, and state whether or not that represents the date on which it was prepared?

(Witness again examines document.)

Mr. SUNOO. Date, November 15, 1948, sir.

Mr. TAVENNER. I desire to introduce the document into evidence, Mr. Chairman, and ask that it be marked "Sunoo exhibit No. 1."

Mr. JACKSON. It will be so admitted.

Mr. TAVENNER. Mr. Chairman, I desire to read the document in evidence and, during the course of the reading, in an effort to save time, to pause and ask questions.

Mr. JACKSON. Very well. Proceed.

Mr. TAVENNER. Does the witness have a copy before him?

Mr. SUNOO. I have a copy, sir.

Mr. TAVENNER. "To Comrades: Kim Il Sung, Pak Hyun Yong."

The first mentioned was the Prime Minister of North Korea and the second the Foreign Minister, is that correct?

Mr. SUNOO. That is correct, sir.

Mr. TAVENNER. "This letter is being written in the belief that it will be delivered through a trustworthy messenger, i. e. utilizing the return home of comrade Joshel Namkung. This writer transmitted to comrade Kim Il Sung for the first time since liberation in April 1947 the situation of Korean residents on this side of the Pacific, the progress of the independence movement, conditions in the United States and activities of party comrades, through Dr. Han Hung Su, who resided in the capital of Czechoslovakia and through representatives who participated in the World Professional League which opened here."

Now will you tell us more in detail what was meant by that; that is, what message it was that you sent to the prime minister through Dr. Han who resided in the capital of Czechoslovakia?

Mr. SUNOO. Mr. Lee had regular communication in Czechoslovakia. However, I did not have any communication with him.

Mr. TAVENNER. (reading): In July of the same year a translation copy of "Dialectical Materialism" and a letter were sent through a representative who participated in the World Young Men's Meeting. In September of this year while was staying in Los Angeles, Calif., a letter was sent to comrade Kim Il Sung under the name of four comrades: Pyon Chun Ho, Kim Kang, Hyon Alice,¹ and myself, Lee Sa Min through comrade Chong Wellington who departed to study at the capital of Czechoslovakia.

I want to pause to ask you whether or not the name Alice Hyon had another spelling, as well as H-y-o-n?

Mr. SUNOO. H-y-u-n would be correct spelling, sir.

¹ Correct spelling of this name is Alice Hyun.

Mr. TAVENNER. Mr. Chairman, Alice Hyun was the subject of investigation by this committee in Hawaii in 1950 and is the subject of a committee report—not the sole subject of the report, but there is quite extensive evidence that the committee has collected in regard to her activities in Hawaii.

It is unnecessary to write about the things reported in these letters, so I will write about conditions in the United States as seen at this time of the recent elections, the activities of party members in the United States and liaison with our home country.

Then there appears in the center of the page a title: "Conditions in the United States."

The document then describes at some length the views of the writers regarding the issues in the election and the part that different persons played in the election, the presidential election in this country, which I will not take the time to read.

The next heading is "Activities of Party Members," which I will read.

We, the members of this party, following the pattern of the United States Communist Party activity, have been steadily performing our assigned duties in order to fulfill the mission of liberating the fatherland. The present party membership totals 26: 13 in Los Angeles, 1 in San Francisco, 5 in Seattle, 1 in Chicago, 4 in New York and 2 in Washington.

Now may I ask at this point what party was that of which the document speaks that contained 26 members?

Mr. SUNOO. The party is what he was going to organize. There was no party, as such, existing at the time when he wrote this one, but he was planning to organize those North Korean sympathizers among Korean residents in the United States.

Mr. TAVENNER. In referring to this group as following the pattern of the United States Communist Party activity, was it meant to indicate that these 26 persons were members of the Communist Party in this country or not?

Mr. SUNOO. No, sir.

Mr. TAVENNER. Were some of those persons members of the Communist Party?

Mr. SUNOO. Yes, that is right, sir. Some of them were members of party but not all 26.

Mr. TAVENNER (reading):

Since the majority of members are in Los Angeles, and it being a center of the Korean settlement, we have reorganized the Korean group (once organized but dissolved within a year), with the permission and approval of the United States Communist Party. Having resumed our activities and set our policies, a meeting is held once a month to collect information, receive reports from outlying members and discuss Korean problems.

May I ask you to describe to the committee what was meant by "approval of the United States Communist Party" in the organization at Los Angeles?

Mr. SUNOO. Since this same Mr. Lee came to United States in 1937, he has been organizing also the party and political group; and in Los Angeles, where most of Koreans live, they were attempting to organize Korean Communist group in the United States Communist Party—so I was informed—but the Communist Party of United States discouraged them to do so. Whether they actually organized it or not, I do not know. However, they were attempting to do that. But the

Communist Party's position was again they didn't want to isolate Koreans alone; they want to mix with American party members.

Mr. TAVENNER. This letter states that approval of the Communist Party had been obtained?

Mr. SUNOO. That part I do not know, sir.

Mr. TAVENNER. Will you tell the committee whether or not Reverend Lee was a member of the Communist Party before he came to the United States?

Mr. SUNOO. No, sir.

Mr. TAVENNER. Do you know where he became a member of the Communist Party?

Mr. SUNOO. He joined the party in Washington, D. C., around 1946 or 1947, as he said to me.

Mr. TAVENNER (reading):

The following seven members of our party have been appointed to represent the party: Pyon Chun Ho, Kim Kang, and Hyun Alice, all of Los Angeles; Sonu Hak Won—

That is yourself, is it not?

Mr. SUNOO. Yes, sir.

Mr. TAVENNER (reading):

And Lee Sa Min, Seattle; Sin Tu Sik, and Kwak Cong Sun, New York; for liaison work among members, investigations of party policies and for liaison with the United States Communist Party headquarters. As for the party front organization there are the Democratic Peoples Front League and the Progressive Party Support Organization and they are openly keeping in contact with Korean peoples associations performing their present activities in groups with union organizations and other progressive parties.

Recently the Progressive Party and union organizations held a mass meeting with the cooperation of the Democratic Peoples Front League and the Progressive Party Support Organization which progressed successfully, using the following slogans:

1. The United States Army must withdraw from South Korea as U. S. S. R. did from North Korea.
2. Announcement of the establishment of the North Korea Democratic Peoples Republic.
3. Abolition of segregation of orientals in the United States.
4. Unconditional release of the leaders of the United States Communist Party and Progressive Party.

Now may I ask you if you can give the committee at this time more detailed information regarding the Progressive Party and union organizations' mass meeting to which you refer here?

Mr. SUNOO. It was quite successful in Los Angeles. Those Koreans participated in Progressive Party and some unions for this particular propaganda we are referring here. This was not done in Seattle or elsewhere, as far as I know.

Particularly we Communists took at the time—if United States Army we drove from South Korea, the Communists had a good chance to unify Korea in a short period of time.

Mr. TAVENNER. Do not the four items that are mentioned here as slogans constitute the Communist Party line at that particular time in the United States?

Mr. SUNOO. That is correct, sir.

Mr. TAVENNER (reading):

The national assemblies of Hawaii and the United States have denied recognition to the North Korean Government. Months ago the national assembly and we recommended recognition of the Republic which was organized in North Korea, through the Democratic Peoples Front League but no answer has yet

been received. We tried to send a message to the U. N. General Assembly in Paris to advise withdrawal of the United States Army from South Korea and U. S. S. R. troops were withdrawn from North Korea through a national assembly petition but failed. The Democratic Peoples Front League alone had sent the message.

The next heading is "The Independence News."

Will you tell the committee what "The Independence News" was and is?

Mr. SUNOO. That is a paper, weekly paper, published in Los Angeles by a group of Koreans, both in English and in Korean. I was one of the sponsors to originate this paper, originated as a progressive paper—gradually became a Communist-dominated paper. At the present time it became a monthly paper, still published in Los Angeles predominantly using propaganda materials from North Korea; that is, they receive newspapers from North Korea and use those materials for the newspaper.

Mr. TAVENNER. Even at the present time?

Mr. SUNOO. Even at the present time.

Mr. TAVENNER. Do you know how that material is received from North Korea?

Mr. SUNOO. I do not know, sir, but I believe it comes through regular mail channels.

Mr. JACKSON. Are there regular channels for mail now between North Korea and the United States?

Mr. SUNOO. I believe it comes through—this is my assumption; I am not too sure. They probably send to Hong Kong, then Hong Kong forward here; and another channel probably was they sent to Czechoslovakia, and in Czechoslovakia they forward this way.

Mr. TAVENNER. Just like many other propaganda documents are distributed throughout this country from Prague, in Czechoslovakia.

Mr. SUNOO. That is right, sir.

Mr. TAVENNER. Are there any members of the editorial staff of the paper at the present time whom you can identify as members of the Communist Party?

Mr. SUNOO. I cannot identify or make the statement they are Communist Party members. However, those editors and printers are working closely with the paper are very closely following Communist line, without any doubt, in my mind.

Mr. TAVENNER. And the paper is being used for propaganda purposes designed to be of assistance to North Korea?

Mr. SUNOO. That is correct, sir.

Mr. TAVENNER. I continue to read:

We publish weekly the Independence News as an organ of expression. During wartime prosperity when our party members' income was high we expended \$10,000 annually, but now our newspaper is maintained at a cost of \$3,000 per annum, prorated among standing party executives. This amount seems trivial but we party executives, totaling less than 20, have been devoting ourselves to this mission. We publish 2,000 copies per edition which are distributed widely among the political leaders, unions, schools, libraries, churches and Korean communities in Great Britain, China, Canada, Mexico, Cuba, Hawaii, and the United States. We realize that the quality and quantity of our newspaper are below par but since there are numerous handicaps, it is hard to expect further improvement.

We can, however, proudly say that we are the only ones who report correct ideas and news on Korean people. Even some foreigners as well as our fellow travelers state that the Independence News is the best among four other Korean newspapers. The news of North Korea has been reported only by the

Independence. We published your messages as soon as they were announced and we received the information. We printed the news and important announcements which were issued during the south-north convention held last August and September. We have decided to continue publication of this newspaper until the 38th parallel is abolished."

The next heading in the center of the page is "Pertaining to Liaison," and reads as follows:

I. It is absolutely imperative that liaison with our country be maintained through exchange of propaganda materials, news, information, newspapers, and periodicals. It seems, however, impossible under the present circumstances to maintain the flow of communications to our country through the North Korean missions in East European countries (i. e., Czechoslovakia, Poland, etc.). We were able to communicate several times while Han Hung Su was in Czechoslovakia, but we have not had any word from there for approximately 1 year. We have not heard from comrade Chong Wellington who went over there a month ago. We have, however, received an uncensored letter in the United States from comrade Lee Tuk Hwan in P'yongyang through the U. S. S. R. If a letter is of a most urgent nature, it can be sent through our missions located in East European countries and the U. S. S. R. during their trips to this country. It is requested that you inform us of appropriate channels. The addresses to be used for the purpose of communication to United States follow.

And there your address and the address of Mr. Kim in Los Angeles are given.

II. Although almost all comrades here wish to repatriate, they were not permitted to repatriate even to South Korea, in spite of the fact that they had made application for repatriation after the liberation. Apparently the only way to repatriate is through East European countries. We believe that some helpful arrangements by the missions of the East European countries should be made for this purpose. It is also requested that you inform us what appropriate steps should be taken, and what preparations are necessary, and information which would be of reference value, during our stay here in the United States.

Mr. JACKSON. Mr. Counsel, I would like to refer back to the paragraph at the top of this page, in which the suggestion is made that if a letter is of a most urgent nature it can be sent through our missions located in the East European countries and the U. S. S. R. during their trips to this country.

Was that intended to suggest the use of the diplomatic pouch by regular diplomatic couriers by the North Korea missions in Eastern European countries?

Mr. SUNOO. At the time there was no diplomatic mission in Eastern European countries. If there was, we wouldn't hesitate to use it. We are referring here primarily to Dr. Han, individually.

Mr. JACKSON. Do you know of any instance where the diplomatic pouch was used for the transmittal of messages or communications or directives?

Mr. SUNOO. We did use, during the war—getting information and news from China, we used the Chinese diplomatic mission in Los Angeles—I don't know how often, but I know we did use it.

Mr. JACKSON. Thank you.

Mr. TAVENNER (reading) :

III. Any requests for information pertaining to research or survey which will help in the country's reconstruction will be heartily welcomed by us. We shall do our best to comply. If you have something to state on the individual's problem of education, we can assure you that there are comrades who according to their technical qualification could engage in the field of industry, education, journalism, medicine and politics in the future. If possible it is requested that you send a reply to this letter through the same channels by which it will be sent or through the east European countries. We also want to know about the departure of Dr. Han Hung Su from Korea.

Hurrah for the Korean Democratic People's Republic!

Hurrah for our true leaders, comrades Kim Il Sung and Pak Hon Yong!

Signed Lee Sa Min, Sonu Hak Won, representatives of party comrades in Seattle, United States of America.

Then there is a postscript containing four paragraphs which read as follows:

(1) The armed revolutionary movements which successively occurred in South Korea from the middle of October greatly stirred not only the United States populace and Government officials but also caused an international sensation.

(2) We wish to send left-wing publications and other necessary books and magazines to you if possible. Please advise us on this matter also.

(3) A casting mold for use in a linotype machine for Korean characters is made at a printing machinery company here. It can be purchased for only four or five hundred won. If you can buy a linotypewriter, we will send you the casting mold for Korean characters. By using this machine, it will be possible to speed up and increase publication of Korean books. It will help greatly in public enlightenment movements.

(4) If there are any books which must be translated urgently, send them to us immediately so that our comrades can translate and ship them back. Please advise us on this matter also.

Now, was that document delivered to the person known as Namkung for delivery in South Korea?

Mr. SUNOO. Yes, sir.

Mr. TAVENNER. The date was November 15, 1948.

Now will you tell the committee what led up to your change of thought and feeling about Communist supremacy in North Korea and let me suggest that you begin by telling the committee about your attendance—the circumstances under which you attended certain conferences in New York and abroad?

Mr. SUNOO. I attended the National Human Rights Conference in New York, July 1949, as a delegate of Civil Rights Congress and Washington Pension Union. I went there to make a brief speech.

After I came back, I made several trips throughout the States and made reports and speeches remarking the importance of recognition of Red China and having trade with Red China, so that all the longshoremen, warehouse union members can get their jobs back.

During that time I was very much dissatisfied on what developed at the end of Canwell hearing committee, because I disagreed with some of the party's policy. However, I never expressed in a party meeting, as such.

And in September 1949 they were planning to have a World Conference of Human Rights, and John Daschbach, a director of the Civil Rights Congress in the State of Washington, asked me to go there as a delegate. So I welcomed that opportunity; and, coincidentally, I was invited to teach at Charles University.

Mr. TAVENNER. In what country?

Mr. SUNOO. In Czechoslovakia. So John Daschbach helped me to get visa for Czechoslovakia, writing to consul general in Chicago.

Mr. TAVENNER. The consul general of what country?

Mr. SUNOO. Czechoslovakia. So I got passport and visa. I left the United States in September 1949.

Mr. TAVENNER. Were you issued a passport by the State Department?

Mr. SUNOO. Yes, sir.

Mr. TAVENNER. Did you advise the State Department as to the full purpose of your travel to Czechoslovakia?

Mr. SUNOO. No, sir, I did not mention Czechoslovakia; I just mentioned trip to Europe.

Mr. TAVENNER. Did anyone advise you how to prepare that passport so that it would be issued by the State Department?

Mr. SUNOO. No, sir. I had good commonsense. If I mentioned Czechoslovakia I would never get passport, so I didn't.

Mr. TAVENNER. What arrangements were made for your transportation.

Mr. SUNOO. I want to mention at this moment, I was dissatisfied with the Communist policy here. My disillusionment was not with the theory of communism itself; I didn't like the way, particularly Henry Huff, handles the party policy, with the Canwell hearings and university problems. And at the same time I became very much confused and the conflict rose between my religion and communism. I want to mention that I never missed church all during the Communist membership. I was a church member—religious church member all the time. The more I learned about communism, it gave me more headache to solve the problem with my Christian view.

So I wanted to find out exactly what is communism itself; that is, to find out the theory and the practice in Czechoslovakia. I chose Czechoslovakia because Czechoslovakia became Communist state in February 1948, without revolution—that is, I had a notion it is possible to achieve socialism without proletarian dictatorship and the best thing is for me to go there and find out. I got my passport and visa, was ready to go. I sold my insurance policy and I sold my house; I was ready to go.

Mr. TAVENNER. Were you furnished any funds by any group?

Mr. SUNOO. No, sir. No one gave me money for that trip. In fact, the Civil Rights Congress wasn't even able to pay my trip to New York; they still have my \$200 to cover.

I went to Europe with my own money. I went to Czechoslovakia September 1949, remain until May 1950. When I got there, they told me the Human Rights Conference is indefinitely postponed. It didn't bother me because my main purpose was to go there, but not attending Human Rights Conference as a delegate was a minor part—my being here was important.

I asked them why they postponed. They told me because government dislike the idea so many delegates come from capitalist state and they can't trust all those people.

And I want to mention that at the time there was problems, civil liberty problems in Czechoslovakia—arresting many church members and priests, and so on, and they didn't want to expose that situation, and I understood that fully and I sympathized their postponement. And they never held that meeting after that.

Then as a delegate and a visiting professor, I was welcome and I was able to visit numerous institutions and organizations, interview many Government officials and party functionaries; in other words, I was fully informed of the actual situation of Czechoslovakian life.

Mr. TAVENNER. And as an American Communist, you were fully accepted by the Communists of Czechoslovakia?

Mr. SUNOO. Yes, sir. And I went to visit coal mines and the country and the farms. I talked to Communists; I talked to non-Communists; talked to ex-Communists—all kinds of people.

And the Communist Party says that they have about one-third of population that is composed of workers and are reliable. However, two-thirds of population, they refer to them as capitalists and artisans, who are still antistate and anti-Communist people.

Mr. TAVENNER. I am not certain that I understood that. What percentage of the people did you say were anti-Communist in Czechoslovakia?

Mr. SUNOO. Two-thirds of population is composed of capitalists and artisans, according to the Communist Party and were not reliable; they were still taking antistate and anti-Communist positions.

Mr. TAVENNER. Yet the Communist Party had no difficulty in dominating and controlling Czechoslovakia?

Mr. SUNOO. No, sir, they had very severe control. I saw and eye witnessed an actual situation, such as—they needed some farm laborers but no one wanted to volunteer from the cities. In one case the Communist Party ordered about 200 clerks or city people—put them in trucks and drove them out to farm and kept them outside there during the harvest season. But they never mentioned that in the paper, but I saw them.

Mr. TAVENNER. Were those people taken against their wishes and against their consent?

Mr. SUNOO. Of course, sir. And the national secretary of the Communist Party, the Czechoslovakian Communist Party, Rudolpl Slansky, made a speech where I attended to hear him, emphasizing the Communist Party members' duty—they must fulfill the 5-year economy plan by educating and disciplining the workers—telling them and convince them to extend their working hours and educate them that piece-rate and a bonus system is a good thing—and work hard to achieve for socialism. That was the astonishing statement I heard because Communist Party is workers' party, and it is actually exploiting the workers by extending working hours, encouraging bonus and piece-rate speedup system. This same man Slansky made that statement and 6 months later they hung him for a national traitor.

I saw Communist leaders from all over the country, including from North Korea, including General Nam Il. I talked to him and I asked this man Nam Il how soon and when Korea would be unified, and he said "When the people are ready."

Mr. TAVENNER. What was the position of Nam Il at that time?

Mr. SUNOO. Nam Il was Deputy Minister of Education in North Korean Government.

Mr. TAVENNER. What was his general background?

Mr. SUNOO. He was trained in Moscow and went back to Korea and became professor at Kim Il Sung University and became dean of college, and became Deputy Minister of Education. When I saw him in Prague he was in that same capacity and representing North Korean Government in participating in celebration of a Czechoslovakian May festival.

Nam Il says when I asked him, "Suppose the South Korean Government invade North Korea, are you ready to resist them?" that they are well prepared, and his position was confirmed from my former comrades who were already in North Korea, who wrote to me and said the situation there was like wartime—everything was on a wartime basis.

Mr. TAVENNER. Did those letters emanate from North or South Korea?

Mr. SUNOO. From North Korea.

Mr. TAVENNER. What was the approximate date?

Mr. SUNOO. That was during early part of 1950.

And when Nam Il mentioned his war situation and that they are ready to resist South Korean aggression, that was just about 6 weeks prior to Korea war.

I knew then soon that Korea war will be beginning and they will be from North Korea. I was scared to return to North Korea then; I didn't make any effort to pursue to go to North Korea, the idea of going there, and had made up in my mind to come back to United States.

Mr. TAVENNER. Well, at an earlier period, before you broke with communism, you had decided to go back to North Korea, had you not?

Mr. SUNOO. I was on the way to North Korea when I left here. Then I went to Czechoslovakia. My purpose was to go to North Korea.

Mr. TAVENNER. Did you receive any direct advice from North Korea prior to the outbreak of hostilities, which would indicate clearly to you whether it was North Korea or South Korea which started the aggression?

Mr. SUNOO. Except that my former comrade, a Communist, who already was in North Korea, wrote me twice, stating, "Do not come because there is possibility of war," stating that it will be initiated by South Korean Government. Obviously, he can't say it will be initiated by North Korean Government; such statement would never reach me.

I want to point out that man I met as Nam Il, who later became armed negotiator of Communist camp, is not the same Nam Il. The chief negotiator and Minister of Foreign Affairs today who is in Geneva is an impostor; he took name of Nam Il because Nam Il is a well-known educator and respected by the people. The other fellow, impostor, was chief propagandist of Communist Party in North Korea.

Mr. TAVENNER. Do you mean that an effort was made to exhibit to the world that the man who was in charge of negotiations on behalf of North Korea was the man that you met in Czechoslovakia—Nam Il?

Mr. SUNOO. Is not the same person. The real name of person, impostor Nam Il, is Kim Chang Nan, who was chief propagandist of Communist Party.

Mr. TAVENNER. Then that means that North Korea has attempted to make the Western World believe that the man that was in charge of negotiations was the man who was the teacher at the university that you mentioned instead of the man who was actually operating in that capacity?

Mr. SUNOO. That is right, sir. Probably the main reason is they want to convince their own people more than anybody else that they are represented by well-known educator rather than Communist propagandist.

Mr. JACKSON. Is Nam Il a common Korean name?

Mr. SUNOO. No, sir.

Mr. TAVENNER. How can you be so certain that the Nam Il who was in charge of the peace negotiations is not the Nam Il whom he is presented to be?

Mr. SUNOO. I saw genuine Nam Il in Prague and this imposter through photography. It cannot be the same person, and my belief was confirmed later by South Korean Government intelligence source—they indicated he is imposter.

Mr. TAVENNER. After your observations of conditions in Czechoslovakia, where communism had taken over without a bloody revolution, what decision did you make with regard to your own attitude toward communism?

Mr. SUNOO. I was expecting to see the peaceful situation; I was, at least for my part, hoping to see the achievement of socialism without bloody revolution, and a proletarian dictatorship is possible not only in theory but in practice. However, I found the contrary is true—that when I was there the people lived in fear; they lived not only in the disaster of the economic side but also completely lost from freedom, individual freedom. I, as a Communist, was called by the police on numerous occasions to identify myself, and they questioned me whether I am a real Communist, in spite of I am there as a Communist and a visiting professor. And many individuals I had talked to, they all expressed like fear. And I saw those situations and then I knew what they preach in theory and what they practice in real life are two different things. And I made up my mind—if this is true in Czechoslovakia, this can be worse in Russia—certainly it would be worse in North Korea. And suddenly I could no longer pursue my original aim, that is, heading to North Korea, and I made up my mind to come back to the United States, to tell the truth of what I have seen, and especially to those people—Korean, Chinese, all those millions people in Asia that are at the present time fooled by the false promises of communism. I want them to realize before too late what they say in Communist propaganda and what they actually practice is not the same thing.

Mr. TAVENNER. Do you realize that in making this statement you will, through the reports of this committee, speak to the people all over the world about your views on communism?

Mr. SUNOO. I like to express my views as often as I can and as many people as I can approach, not only just to expose communism, the evils of communism—just exposing communism would be not enough from my point of view—but to offer to share the pride and the hope in democracy and faith and spirit of freedom with them—not only do we share our material support and technical aid but our spiritual value, share with them. That is the only way. When we only do such sharing, I think we can convince the people that communism is no for them. That is my firm conviction at the present time and I will do my best to do justice to that.

Mr. TAVENNER. Now before we come to the method of your return to the United States, for the purpose of telling the people of this country what you have seen and what your experiences have been in the short period of time that you were so personally identified with communism in Europe, I want to ask you whether or not you met any Americans in Czechoslovakia?

Mr. SUNOO. I met a well-known American there. His name is George S. Wheeler. This man took political asylum in Czechoslovakia.

Mr. TAVENNER. Do you know what Wheeler's brother's name was

Mr. SUNOO. No, sir, I do not know. I know he is from Portland, Oreg. I do not know his brother's name.

Mr. TAVENNER. Would you recall it, do you think, if you heard it?

Mr. SUNOO. No, sir, I do not know any of his relatives.

Mr. TAVENNER. Mr. Chairman, I think the record should show at this point that it is Donald Niven Wheeler.

Will you proceed?

Mr. SUNOO. I saw him and I went to his house and talked much about politics. And I was there when he became an international figure—became hero there since.

Mr. TAVENNER. Hero in whose sense?

Mr. SUNOO. In the Czechoslovakian sense, when he denounced America as imperialist and willing to stay and remain in Czechoslovakia.

Mr. TAVENNER. What did you observe that Mr. Wheeler was doing in Czechoslovakia?

Mr. SUNOO. He went around throughout the country making speeches, denouncing American policy in the West, and that Czechoslovakia and Soviet Union and the rest of the satellites really stand for peace and the people's democracy—he was making such a statement.

Mr. TAVENNER. Did that seem to be his sole and only occupation, that of spreading Communist propaganda?

Mr. SUNOO. At that time he was too busy engaged in fulfilling all his engagements on the speech tour. I think that was the only thing he was doing.

Mr. TAVENNER. Did you meet any other American citizens of Korean extraction in Czechoslovakia?

Mr. SUNOO. I met several students. I met American YMCA director.

Mr. TAVENNER. Before you give the names of any of them, I want to know whether or not they were known to you to be members of the Communist Party?

Mr. SUNOO. No, sir, they were not Communists at all.

Mr. TAVENNER. Did you see there any persons of Korean nationality or extraction who were known to you to be members of the Communist Party?

Mr. SUNOO. Wellington Chung. He was there as a medical student, American-Korean, son of Alice Hyun. I saw him often and I knew him as a Communist.

Mr. TAVENNER. Will you tell the committee now, please how you arranged to return to the United States after having entered upon the program of going behind the Iron Curtain and then changing your mind?

Mr. SUNOO. My returning was more difficult than my going, because I knew if I returned I would face many problems, because I was a Communist. I also knew I would have much difficulty supporting my family financially. However, my wife, she was deeply religious all throughout those days—still is—told me not to worry, just to return and we will find some way of living. I made up my mind then we can solve in some way our financial problems after our return.

Mr. TAVENNER. Did you have any difficulty in returning?

Mr. SUNOO. I had difficulty in Prague. It took me about 2 to 3 weeks to get permission to leave the country, especially leaving for the United States. I didn't tell them that I am going back to America: I told them I am going to Italy—first to Austria and then Italy to observe and making tour in Marshall plan country for further studies. It took me 3 weeks to get permission to leave the country. As I say, I had more difficult time to leave than going in.

Mr. TAVENNER. And since your return to this country, you have, as I understand, done the best you can to make known to the people of your original nationality the facts relating to communism, as you observed them?

Mr. SUNOO. I made it very clear; I made the public statement over and over again, and I wrote in the papers, both in English and in Korean, my opposition to the Communist view which I held. It is a known fact that among Korean people that I am against communism now.

Mr. TAVENNER. And this whole distressing experience which you have had was a result, in some measure at least, to the activities of the Communist Party here in Seattle, was it not?

Mr. SUNOO. Yes, sir, my whole Communist activities were solely engaged in Seattle—nowhere else.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I want to compliment you on your cooperation with the committee. Your story is especially interesting to me because I spent a week in Korea, the country of your birth, during the time of hostilities there. I was there officially for the United States Congress, as a member of the Armed Services Committee, and apparently I was in the very part of that country with which you are familiar and were raised in as a boy.

Now in looking at line 3 of this letter—is the name Namkung?

Mr. SUNOO. Yes, sir.

Mr. DOYLE. Were you utilizing him because he was a Communist known to you to be a Communist?

Mr. SUNOO. No, sir. He was very good friend of mine. I was hoping to recruit him to the Communist Party some day, naturally, as a good Communist always is looking for good potential Communists and he was good man and I was going to recruit him, hoping to recruit him some day. But, as far as I know, he was not a party member at the time and I could trust him because of his nature and character and I had confidence in him.

He wasn't going to Korea purposely for delivering letter; he was going there for getting his children, and this was to give him to deliver for that occasion.

Mr. DOYLE. In other words, he was an adult person? He was an adult in age? He was a married man?

Mr. SUNOO. Yes, sir.

Mr. JACKSON. On behalf of the committee, Mr. Sunoo, I want to express our thanks to you. It is too bad that some of the domestic Communists have not had an opportunity to see communism in action as it is practiced throughout the world.

You are in a unique situation, certainly, to make a splendid contribution to the continued safety and welfare of your adopted land.

All of us recognize that there are inequities and injustices but most of us feel that those things will be better worked out and sooner worked out within the framework of the American Constitution than within the satellite orbit of the Soviet Union.

With the very sincere thanks of the committee for your cooperation, you are excused from further attendance.

Mr. SUNOO. Thank you, sir.

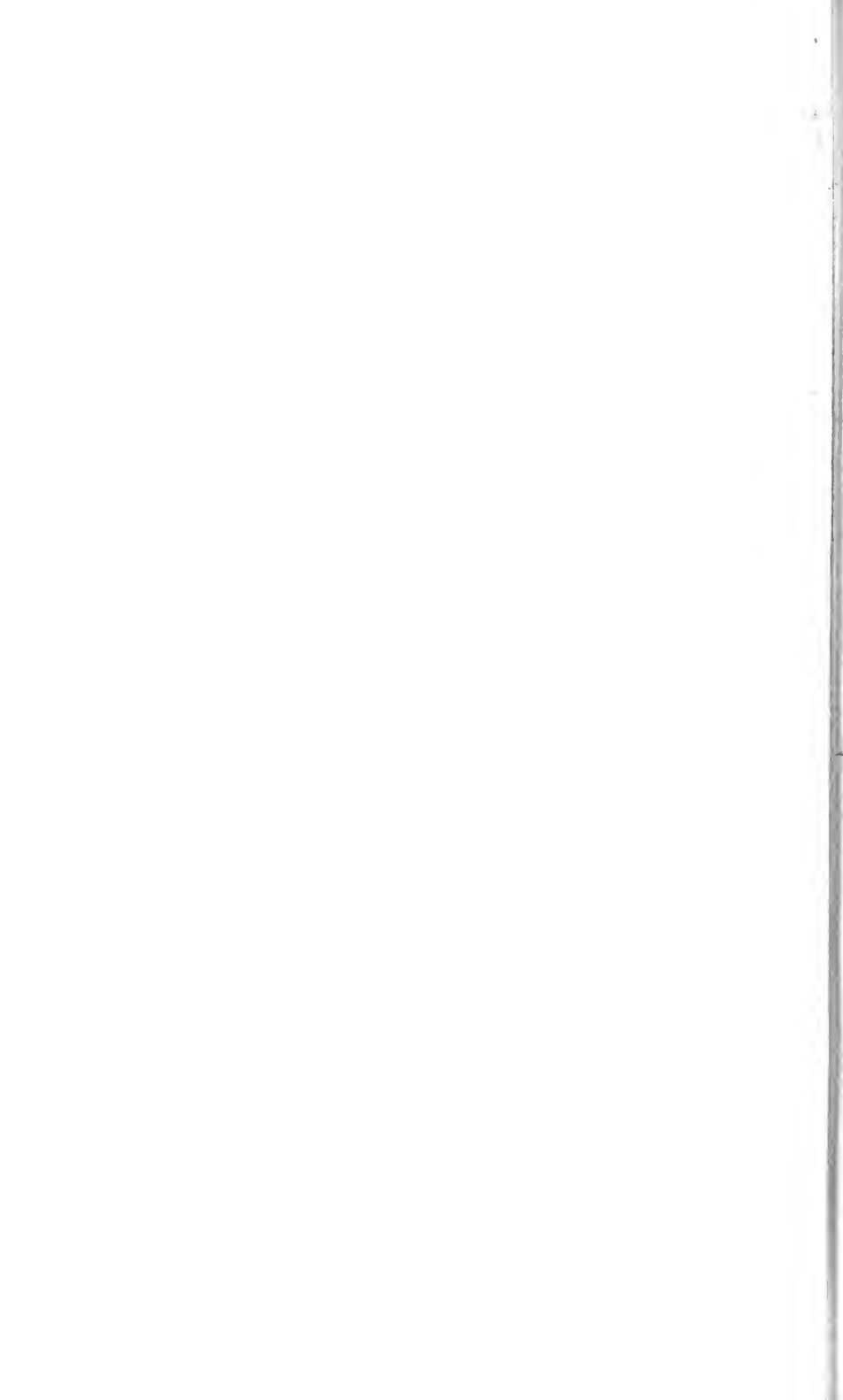
(Witness excused.)

Mr. JACKSON. Do you have anything further, Mr. Counsel?

Mr. TAVENNER. No, sir, I have nothing further.

Mr. JACKSON. Very well, the subcommittee will stand in recess until 9 o'clock tomorrow morning.

(Whereupon, at 5:30 p. m., the hearing was recessed, to reconvene at 9 a. m., Saturday, June 19, 1954.)



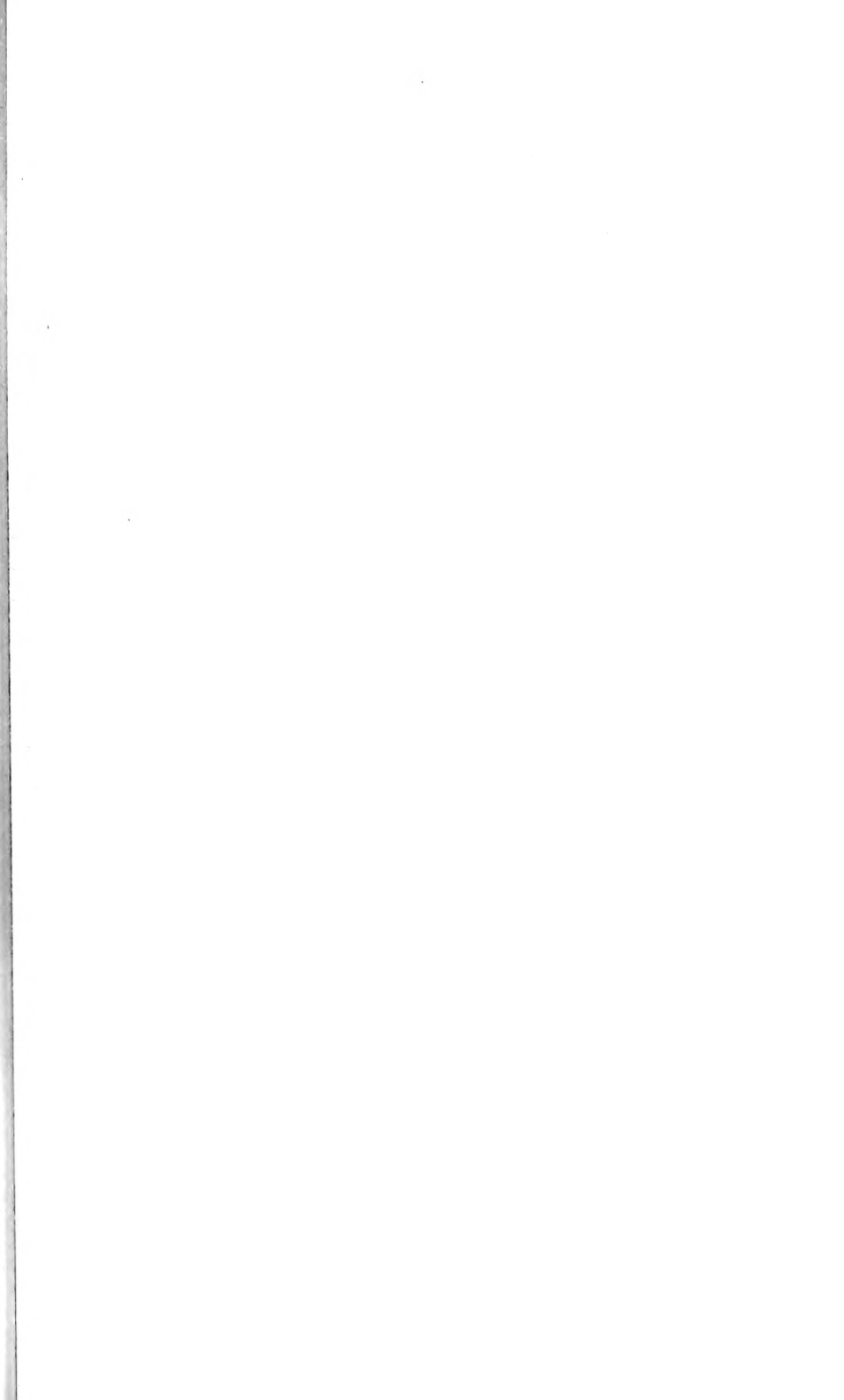
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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE
PACIFIC NORTHWEST AREA—Part 8 (SEATTLE)

HEARING
BEFORE THE
COMMITTEE ON UN-AMERICAN ACTIVITIES
HOUSE OF REPRESENTATIVES
EIGHTY-THIRD CONGRESS
SECOND SESSION

—
JUNE 19, 1954
—

Printed for the use of the Committee on Un-American Activities

INCLUDING INDEX



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COMMITTEE ON UN-AMERICAN ACTIVITIES

UNITED STATES HOUSE OF REPRESENTATIVES

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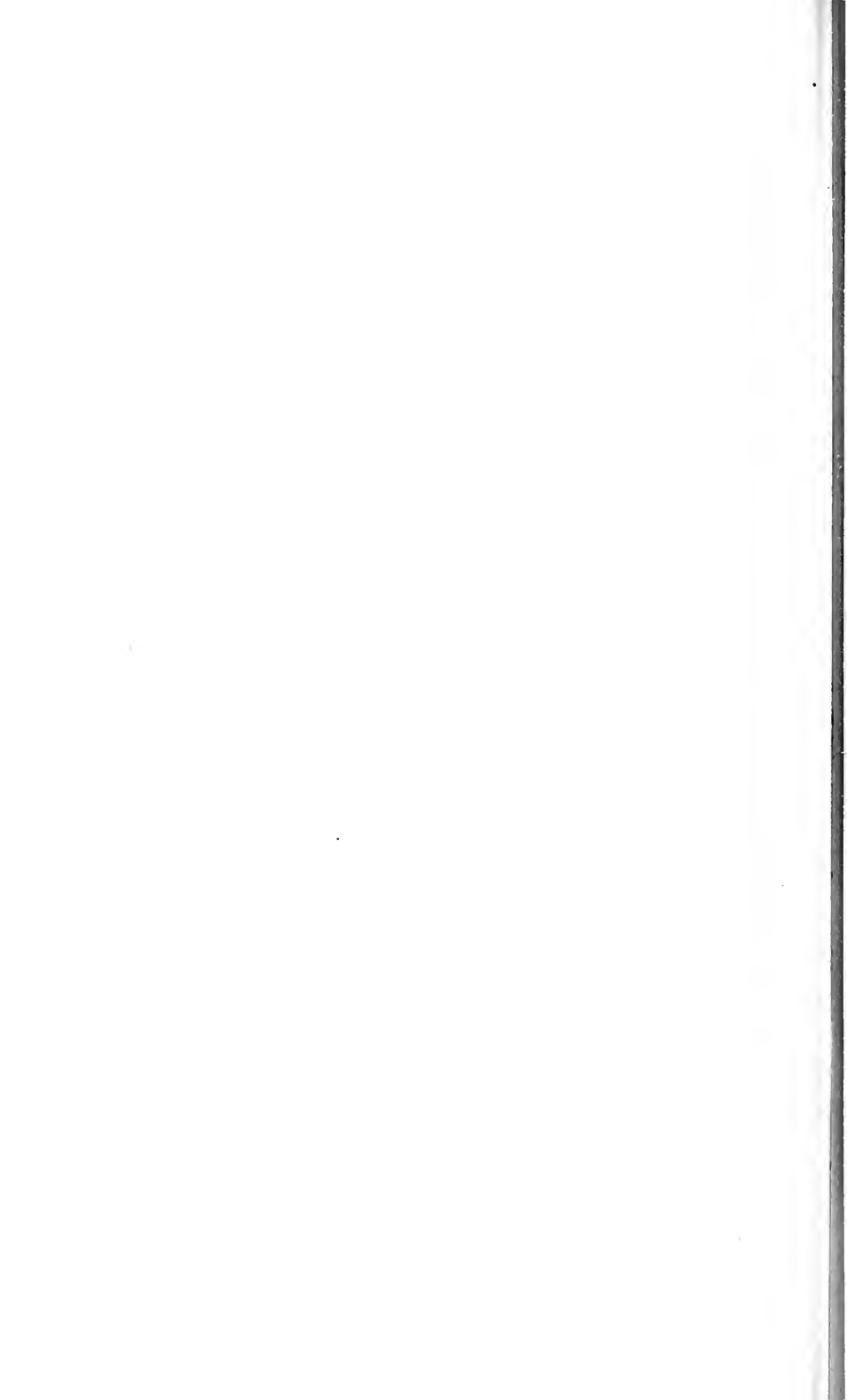
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COURTNEY E. OWENS, *Chief Investigator*

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PUBLIC LAW 601, 79TH CONGRESS

The legislation under which the House Committee on Un-American Activities operates is Public Law 601, 79th Congress [1946], chapter 753, 2d session, which provides:

*Be it enacted by the Senate and House of Representatives of the United States of America in Congress assembled, * * **

PART 2—RULES OF THE HOUSE OF REPRESENTATIVES

* * * * *

RULE X

SEC. 121. STANDING COMMITTEES

* * * * *

17. Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

(q) (1) Committee on Un-American Activities.

(A) Un-American activities.

(2) The Committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of (i) the extent, character, and objects of un-American propaganda activities in the United States, (ii) the diffusion within the United States of subversive and un-American propaganda that is instigated from foreign countries or of a domestic origin and attacks the principle of the form of government as guaranteed by our Constitution, and (iii) all other questions in relation thereto that would aid Congress in any necessary remedial legislation.

The Committee on Un-American Activities shall report to the House (or to the Clerk of the House if the House is not in session) the results of any such investigation, together with such recommendations as it deems advisable.

For the purpose of any such investigation, the Committee on Un-American Activities, or any subcommittee thereof, is authorized to sit and act at such times and places within the United States, whether or not the House is sitting, has recessed, or has adjourned, to hold such hearings, to require the attendance of such witnesses and the production of such books, papers, and documents, and to take such testimony, as it deems necessary. Subpenas may be issued under the signature of the chairman of the committee or any subcommittee, or by any member designated by any such chairman, and may be served by any person designated by any such chairman or member.

RULES ADOPTED BY THE 83D CONGRESS

House Resolution 5, January 3, 1953

* * * * *

RULE X

STANDING COMMITTEES

1. There shall be elected by the House, at the commencement of each Congress, the following standing committees:

* * * * *

(q) Committee on Un-American Activities, to consist of nine members.

* * * * *

RULE XI

POWERS AND DUTIES OF COMMITTEES

* * * * *

17. Committee on Un-American Activities.

(a) Un-American activities.

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INVESTIGATION OF COMMUNIST ACTIVITIES IN THE PACIFIC NORTHWEST AREA—Part 8 (SEATTLE)

SATURDAY, JUNE 19, 1954

UNITED STATES HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE OF THE COMMITTEE ON
UN-AMERICAN ACTIVITIES,
Seattle, Wash.

PUBLIC HEARING

The subcommittee of the Committee on Un-American Activities met, pursuant to recess, at 9 a. m., in room 402, County-City Building, Seattle, Wash., Hon. Donald L. Jackson (chairman) presiding.

Committee members present: Representatives Donald L. Jackson and Clyde Doyle.

Staff members present: Frank S. Tavenner, Jr., counsel; William A. Wheeler, staff investigator; and Mrs. Billie Wheeler, acting for the clerk.

Mr. JACKSON. The committee will be in order.

Are you ready to proceed, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Mr. JACKSON. Call your first witness.

And let the record show that a quorum of the subcommittee appointed by the chairman, Mr. Velde, is present at this time.

Mr. TAVENNER. Mr. Johsel Namkung.

TESTIMONY OF JOHSEL NAMKUNG, ACCOMPANIED BY COUNSEL, KENNETH A. MacDONALD

Mr. JACKSON. In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help me God?

Mr. NAMKUNG. I do.

Mr. TAVENNER. What is your name, please, sir?

Mr. NAMKUNG. My name is Johsel Namkung, J-o-h-s-e-l N-a-m-k-u-n-g.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. NAMKUNG. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. MacDONALD. My name is Kenneth A. MacDonald of Seattle, a member of the Seattle Bar Association.

Mr. TAVENNER. When and where were you born, Mr. Namkung?

Mr. NAMKUNG. I was born on April 24, 1919, in Kwang Ju, Korea.

Mr. TAVENNER. Are you a citizen of Korea?

Mr. NAMKUNG. I don't know, sir. I regard myself as stateless at the moment.

Mr. TAVENNER. You are not a naturalized American citizen, are you?

Mr. NAMKUNG. No, sir.

Mr. TAVENNER. I understand that there is pending in court a deportation proceeding involving you?

Mr. NAMKUNG. That is right, sir.

Mr. TAVENNER. I am not going to ask you any questions which might have anything to do with that proceeding or evidence in regard to it, as the matter is now pending in court.

Mr. NAMKUNG. Yes, sir.

Mr. TAVENNER. However, I do desire to hand you and have you examine a document which was introduced in evidence yesterday as Sunoo Exhibit No. 1.

(Witness examines document.)

Mr. TAVENNER. Do you see your name alluded to in the first paragraph?

Mr. NAMKUNG. Yes, I do, sir.

Mr. TAVENNER. It was testified here that the document which you have in your hands, that is, the original in the Korean text, was given to you for delivery by you to the underground in South Korea so that it in turn might be delivered through underground sources to the Prime Minister of North Korea.

Mr. NAMKUNG. That is correct, Mr. Tavenner.

Mr. TAVENNER. Did that occur?

Mr. NAMKUNG. That is right, sir.

Mr. TAVENNER. Will you examine the document sufficiently to determine whether or not it is an English translation of the document which was delivered to you?

Mr. NAMKUNG. Mr. Tavenner, I think I have seen this document once before, 2 or 3 years ago, and I think it is the same document, and I cannot determine whether it is an exact correct translation of the original Korean document, but I think it relates the substantial contents of the original letter.

Mr. TAVENNER. In any event, the original document was delivered to you?

Mr. NAMKUNG. That is right, sir.

Mr. TAVENNER. Who delivered it to you?

Mr. NAMKUNG. Sir, I would like to elaborate on that a little bit. Reverend Lee gave me a name of a medical doctor, who was supposed to be working with South Korean Government in public health department. I don't remember his name anymore. However, he gave me—jotted that name down on a slip of paper and gave it to me, telling me that "If you go to South Korea, go and drop in at the public health department and ask for this person"—there would be doctor by name of this name. And I went there—I mean the public health department. I asked at the information desk whether there was a doctor by that name working at that time. The receptionist told me that he didn't know any person by that name. So I had known several friends—musicians, writers, poets, painters, and all those people of that category who were known to be leftwing—leftwing persons—and I came across a person by the name of Kim Kong Sok and I asked him in a roundabout way whether he had any access to under-

ground personnel so that I could deliver a letter addressed to the Premier of Northern Korean Government, and he said he certainly had, so I handed it to him.

Mr. TAVENNER. And that was the manner in which you disposed of the document?

Mr. NAMKUNG. That is right, sir.

Mr. TAVENNER. Do you know, of your own personal knowledge, whether or not the document was delivered to the Prime Minister of North Korea?

Mr. NAMKUNG. No, sir. I was supposed to get the reply of this letter through the same channel, and during my stay in South Korea for 4 months, I have seen several times this person Kim Kong Sok and inquired of him of the reply and he repeatedly told me that he has transmitted the letter but has never received any reply.

Mr. TAVENNER. Mr. Chairman, I think I am justified in stating to the committee that the original text of this document was procured through North Korean sources.

I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I have no questions.

Mr. JACKSON. Thank you for your testimony.

If there is nothing further, the witness will be excused from further attendance under the subpoena.

(Witness was excused.)

(At this point, further testimony of Barbara Hartle was heard which is printed in pt. 3 of this series.)

Mr. JACKSON. Call your next witness, Mr. Counsel.

Mr. TAVENNER. Mr. Ralph George Davis.

Mr. JACKSON. Will you stand and be sworn, sir?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. DAVIS. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF RALPH GEORGE DAVIS

Mr. DAVIS. Ralph Davis.

Mr. TAVENNER. Mr. Davis, I believe, in response to the invitation which the chairman announced at this hearing, as he announces at all hearings, namely, that any person whose name has been mentioned adversely in the course of the testimony is invited to appear here and make a denial of those matters or admit them or make an explanation of them, you are appearing here?

Mr. DAVIS. Yes.

Mr. TAVENNER. I believe you have gotten in touch with the committee and advised that your name had been mentioned and that you had been identified by Mrs. Barbara Hartle.

Mr. DAVIS. Yes, sir.

Mr. TAVENNER. As having been a member of the Communist Party. And you desired to appear here, is that correct?

Mr. DAVIS. Yes, that is right.

Mr. TAVENNER. Very well. Will you just state to the chairman what you have to say on the subject?

Mr. DAVIS. Well, I joined the Communist Party in 1943 and broke with them in 1948, but although I want to make it clear that I was contacted a little until 1950, when I was working with a contractor, and he contacted me on the pressure of working with him.

Mr. TAVENNER. What was the nature of that contact?

Mr. DAVIS. Well, it was at work, and during the day, the course of the work, he was talking about one meeting that I went to way out in Berrian Heights somewhere—I don't know exactly where it was—and he picked me up from work and took me out to this meeting; and from there on I had no more contacts with the party—which I told him that I didn't want to go to any other meeting at all.

Mr. TAVENNER. This was your employer who took you to the Communist Party meeting?

Mr. DAVIS. Yes.

Mr. TAVENNER. And that was the last one that you have attended?

Mr. DAVIS. That is right. And he told me, he said, "That is between you and your God." So I had no more connections with them. And I have prayed over the thing and I never did mean to do anything subversive to this country at all.

Mr. TAVENNER. Do I understand that your employer was a member of this group of the Communist Party?

Mr. DAVIS. That is right. Yes.

Mr. TAVENNER. I think you should give the committee his name.

Mr. DAVIS. His name is Ed Friel.

Mr. TAVENNER. He also has been identified by Mrs. Hartle as having been a member of the Communist Party.

Mr. DAVIS. Yes.

Mr. TAVENNER. What year was this?

Mr. DAVIS. That I was in?

Mr. TAVENNER. What year was this that he took you to this last meeting?

Mr. DAVIS. That was in 1950, to the best of my knowledge.

Mr. TAVENNER. Other than that, you have had no connection with the Communist Party?

Mr. DAVIS. No, sir; I have not. No.

Mr. TAVENNER. You have not participated in any other Communist projects?

Mr. DAVIS. No, not anywhere whatsoever.

Mr. TAVENNER. And you have no present knowledge of Communist Party activities?

Mr. DAVIS. No, I haven't, sir.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. What was the nature of your work or the business of your employer?

Mr. DAVIS. Painter. Painting contractor.

Mr. DOYLE. How many men, in addition to yourself, did he employ?

Mr. DAVIS. I would say about 4 or 5.

Mr. DOYLE. To your personal knowledge, did he take any of the other employees of his to the Communist Party meeting?

Mr. DAVIS. No, he didn't, because prior to that I was recruited in the party through him, and another fellow worker who was mentioned here at the hearing as Ray Campbell.

Mr. DOYLE. Then when Mrs. Hartle identified you in her testimony, it is another case—as in all cases we have found so far her testimony to be correct?

Mr. DAVIS. Quite correct.

Mr. DOYLE. Thank you very much. We want to compliment you on coming forward and making this helpful statement.

(Witness was excused.)

(At this point Mr. Jackson left the hearing room.)

Mr. DOYLE. Call your next witness.

Mr. TAVENNER. Victor Case, will you come forward, please?

Mr. DOYLE. Please raise your right hand.

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CASE. I do.

Mr. DOYLE. Be seated then, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF VICTOR CASE

Mr. CASE. Victor Case.

Mr. TAVENNER. Are you appearing here pursuant to a subpoena served on you, or is this a voluntary appearance?

Mr. CASE. I am here voluntarily.

Mr. TAVENNER. Did you hear the invitation of the chairman of this committee, extended to every citizen whose name had been adversely referred to during the course of these hearings, as being entitled to appear?

Mr. CASE. Yes, sir.

Mr. TAVENNER. And is that the reason you are appearing?

Mrs. CASE. Yes, sir.

Mr. TAVENNER. I believe Mrs. Barbara Hartle identified you as having been a member of the Communist Party, is that correct?

Mr. CASE. She did.

Mr. TAVENNER. Please proceed with whatever you desire to say to the committee on the subject.

Mr. CASE. I came here in order to make it perfectly clear that my association with the party was a brief one and a long time ago, during the academic year of 1946 and 1947. Since then I have departed ideologically and in every other way from the Communist Party, and when this testimony was given by Mrs. Hartle I appeared to cooperate with the committee and explain myself.

Mr. TAVENNER. Have you determined to oppose communism in the future to the best of your ability?

Mr. CASE. Yes; I have. My work is of a completely nonpolitical sort and my interest in politics has always been of a sort of bookish kind, anyway. I have never been active in any practicing politics, but to the same extent and in the same way that I used to defend the Communist point of view I now attempt to expose its fallacies.

Mr. TAVENNER. Well, there is no more effective way to combat it than that.

Mr. CASE. I believe so.

Mr. TAVENNER. What was the period of your membership?

Mr. CASE. I believe it was a period not exceeding 1 year, and it was during that school year of 1946 and 1947.

Mr. TAVENNER. Was that a group of the Communist Party at some educational institution?

Mr. CASE. At the University of Washington.

Mr. TAVENNER. Having made this voluntary appearance here and frankly told the committee the facts, I assume that you are willing to talk to investigators at some future time regarding any matter they may desire to inquire about of you?

Mr. CASE. Yes; I am.

Mr. TAVENNER. I have no further questions at this time.

Mr. DOYLE. I desire to compliment you, Mr. Case, on behalf of the committee, upon coming forward as you have.

What is your age, Mr. Case?

Mr. CASE. Thirty-three.

Mr. DOYLE. Are you a man of family?

Mr. CASE. Yes.

(At this point Mr. Jackson returned to the hearing room.)

Mr. DOYLE. Good luck to you and best wishes.

Mr. JACKSON. Mr. Case, I might add my congratulations to what Mr. Doyle has said. I believe I conversed with you first when you came in voluntarily to the hearing. I believe that you have made a very wise decision and a decision which many others might well make.

With that you are excused from further attendance at this time. (Witness was excused.)

Mr. JACKSON. At this time the committee will stand in recess until 10:45.

(Whereupon, at 10:30 a. m., the hearing was recessed, to reconvene at 10:45 a. m.)

(Whereupon, at 10:45 a. m., the hearing was reconvened.)

Mr. JACKSON. The committee will be in order.

Let the record show that a quorum of the subcommittee is present. You may call your next witness, Mr. Counsel.

Mr. TAVENNER. Mr. Elmer Strom.

Mr. JACKSON. Will you raise your right hand and be sworn, please?

In the testimony you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STROM. I do.

Mr. TAVENNER. You are Mr. Elmer Strom?

TESTIMONY OF ELMER STROM, ACCOMPANIED BY COUNSEL, WAYNE BOOTH

Mr. STROM. Yes, sir.

Mr. TAVENNER. Will you spell your last name, please?

Mr. STROM. S-t-r-o-m.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. STROM. Yes, I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. BOOTH. I am Wayne Booth, vice president of the Seattle Bar

Association. I am appearing here under appointment to represent Mr. Strom, appointment being made by Michael Copass, president of the Seattle Bar Association.

Mr. TAVENNER. When and where were you born, Mr. Strom?

Mr. STROM. I was born in Carnation, Wash., the last of 1905.

Mr. TAVENNER. Where do you now reside?

Mr. STROM. I work for the City of Seattle Fire Department.

Mr. TAVENNER. How long have you lived in the city of Seattle?

Mr. STROM. About 34 years.

Mr. TAVENNER. And you say you now work for the City of Seattle Fire Department?

Mr. STROM. Yes, sir.

Mr. TAVENNER. What is the nature of your employment?

Mr. STROM. I am captain of a fire company.

Mr. TAVENNER. How long have you worked for the city of Seattle?

Mr. STROM. Twenty-five years.

Mr. TAVENNER. How long have you held the rank of captain in the Fire Department of the City of Seattle?

Mr. STROM. Nine years.

Mr. TAVENNER. Are you a member of a local or national union which is organized within the fire department?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I am, sir.

Mr. TAVENNER. What is the designation of the union?

Mr. STROM. International Association of Firefighters of Seattle, Local 27.

Mr. TAVENNER. What area does that local cover?

Mr. STROM. The city of Seattle.

Mr. TAVENNER. Do you now hold any position in the national organization of that union?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. No, sir.

Mr. TAVENNER. Do you hold any position in the local union?

Mr. STROM. Yes, sir. I am vice president.

Mr. TAVENNER. How long have you been vice president?

Mr. STROM. Two years.

Mr. TAVENNER. Is there any United States Government property, such as a base of any character under the Army or the Navy or any other Government branch, which comes within the area in which local 27 operates?

Mr. STROM. Well, anything that would be within Seattle would be in that same district that the local operates in.

Mr. TAVENNER. As a captain of the fire department and as an official, vice president, I believe you said, of your local, you have access to those properties, of course, in the performance of your duties, do you not?

Mr. STROM. Well, in performance of the duties—I just don't know what to say. I presume that would be true, yes.

Mr. TAVENNER. Mr. Strom, do you know of Communist Party activities within local 27?

Mr. STROM. No, sir; I do not.

Mr. TAVENNER. Are you at the present time a member of the Communist Party?

Mr. STROM. No, sir.

Mr. TAVENNER. Were you required in 1951, under the provisions of the Subversive Act of the State Legislature of Washington to sign a statement virtually in the nature of a non-Communist statement?

Mr. STROM. Yes, sir.

Mr. TAVENNER. Did you sign it?

Mr. STROM. Yes, sir.

Mr. TAVENNER. Were you a member of the Communist Party at that time?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. Sir, I am advised by counsel that answers to preliminary questions may lead to matters which would tend to incriminate me and under the Constitution I must, with all due respect to the functions of this committee, decline to answer this question under my immunity under the fifth amendment.

Mr. TAVENNER. I am not certain that I understand you correctly. You state that you are not a member of the Communist Party now. What is the difference in denying Communist Party membership now and denying it on June 20, 1951?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. TAVENNER. If you, in fact, were not a member of the Communist Party at that time?

Mr. STROM. That question calls for a legal interpretation of just how far back the questioning might go.

Mr. TAVENNER. How far back it might go? Well, the question is: What was the situation on June 20, 1951?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I must decline to answer this question on the grounds and for the reasons already stated.

Mr. TAVENNER. Were you a member of the Communist Party yesterday?

Mr. STROM. Same answer.

Mr. TAVENNER. You will not answer as to yesterday?

Mr. STROM. I will not answer on the same grounds.

Mr. TAVENNER. What is today? Saturday?

Mr. STROM. Correct.

Mr. TAVENNER. You will not answer as to whether or not you were a member of the Communist Party on Friday then?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I must decline to answer this on these grounds.

Mr. TAVENNER. But on Saturday you are not a member of the Communist Party?

Mr. STROM. Same answer holds true.

Mr. JACKSON. Were you a member of the Communist Party when you entered this hearing room?

Mr. STROM. No, sir.

Mr. TAVENNER. Were you a member of the Communist Party when you got up this morning?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. No, sir.

Mr. TAVENNER. Were you a member of the Communist Party when you went to bed last night?

Mr. STROM. I decline to answer this question on the grounds of the previous statement.

Mr. TAVENNER. I hand you a document, the heading of which is "City of Seattle, State of Washington," statement of a fire department captain, bearing date of June 20, 1951. Will you examine it, please, and state whether or not the signature of the statement is your signature?

(Witness examines document.)

Mr. STROM. What is the question?

Mr. TAVENNER. Will you examine the signature to the document and state whether or not is your signature?

Mr. STROM. It is.

Mr. TAVENNER. Do you recall having signed the statement?

Mr. STROM. Yes.

Mr. TAVENNER. May I have it, please, sir?

I desire to introduce the document in evidence and ask that it be marked "Strom Exhibit No. 1."

Mr. JACKSON. It will be admitted in the record.

Mr. TAVENNER. This is a statement given by you pursuant to the provisions of the Subversive Activities Act of 1951 of the State of Washington, is it not?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. To my knowledge, yes.

Mr. TAVENNER. Among the statements contained therein is this provision:

I hereby certify that I have read the provisions of section 14, chapter 254, Laws of 1951 of the State of Washington quoted above, that I understand and I am familiar with the contents thereof and that I am not a subversive person as therein defined.

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. TAVENNER. And the act which is quoted in this statement provides that it is applicable to a person who is a member of a subversive organization.

Were you a member of a subversive organization when you signed this document on June 20, 1951?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I would invoke the fifth amendment on that question.

(At this point Mr. Booth conferred with Mr. Strom.)

Mr. STROM. But if you will ask me as to whether it was true at that time, I will answer.

Mr. TAVENNER. I have asked you whether or not you were a member of the Communist Party on June 20, 1951, and I will be very glad to ask it again. Were you?

(At this point Mr. Booth conferred with Mr. Strom.)

Mr. STROM. I am advised that the way the question is framed if I would answer that I would waive my immunity, on advice of counsel, although there is a wide field in which I feel free to testify.

Mr. TAVENNER. Well, can you think of any way you would like for me to ask you the same question in a manner in which you could answer whether or not you were a member of the Communist Party on June 20, 1951? If you can, I will be very glad to accommodate you.

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I decline to answer that question on the grounds and for the reason as previously stated.

MR. TAVENNER. Can you think of any way in which I can ask that question so that you can answer? I have been trying to ask these questions in a way witnesses will answer them and if you have the answer to that I would be glad to have it.

MR. DOYLE. Mr. Chairman.

MR. JACKSON. Mr. Doyle.

MR. DOYLE. May I suggest that perhaps the committee might even be willing to let the witness volunteer and tell us what the fact is as to whether or not he was a member of the Communist Party on June 20, 1951?

What is your voluntary statement?

And may I suggest to counsel that that is not in response to any question. That is just inviting you to volunteer what the truth is.

(At this point Mr. Strom conferred with Mr. Booth.)

MR. TAVENNER. Mr. Chairman, I will withdraw my question and ask the witness just to explain his Communist Party activities, if he had any.

MR. DOYLE. Excuse me for interfering with the question of counsel, but as long as the witness objects to answering the question, I submit that we are inviting him to tell the truth on that question or to tell the truth without it being in answer to any question.

MR. JACKSON. Preliminary to that, may the Chair make a brief statement?

I assume that the witness, Captain Strom, has taken into consideration the likely consequences of the position that he is taking here today. There may well be in the balance a very long and faithful service to the city of Seattle.

As Chairman Velde said the other day, it is not the desire nor the wish nor the policy of this committee to attempt to entrap anyone into making any statement which might in any way incriminate them. We are attempting to the best of our ability to determine the facts respecting Communist Party activity in this area; and, as the chairman said the other day—and I want to stress it very much at the present time, because I think it is very important to you, sir—that no witness who has ever appeared before this committee, to the best of my knowledge, and who has told the truth openly, frankly, and completely, has ever been prosecuted by this committee. It does us absolutely no good to send anyone to jail; we learn nothing, the American people learn nothing. Our primary, fundamental and only interest is in finding out the facts as they exist in any given locality.

And, as I say, I am sure that you have weighed all the factors in the case, that you have taken into consideration the matter of your own career; but, before the final die is cast, and before you have irrevocably taken a step which may, in the final analysis, be a disastrous one, I think that you should realize the fact that we are not here to prosecute; we are here to obtain information.

Proceed, Mr. Counsel.

MR. TAVENNER. You see, in the position of a fire captain in the fire department in a city of any size, especially a city the size of Seattle, it is an important matter—if the Communist Party has any direction and control of that individual, if that individual is subject to the discipline of the Communist Party.

Now we want to know whether or not you were subject to the discipline of the Communist Party on June 20, 1951, when you gave this statement?

(At this point Mr. Booth conferred with Mr. Strom.)

Mr. STROM. If I could preserve my immunity as of that date and not have to answer—I could answer it as of that date, but if I answer—but if I answered as of then, as of this particular date, what is to prevent you or, as I fully expect you will ask, to come to some other date?

Mr. TAVENNER. Yes, I will, until I get the facts.

Mr. STROM. Then I must decline on the grounds as previously stated.

Mr. TAVENNER. But you answered as of today.

Mr. STROM. I did.

Mr. TAVENNER. But you are unwilling to answer as to June 20, 1951?

Mr. STROM. For the same reason.

Mr. DOYLE. Mr. Chairman, I think the record should show at this point that in the Guide to Subversive Organizations and Publications, published by authority of this committee, it shows at page 41 thereof, under "Communist Party, USA, 1930 to 1944, 1945 to date," cited as subversive organization which seeks to alter form of government of the United States by unconstitutional means—Attorney General Tom Clark, letter to Loyalty Review Board released December 4, 1947 and September 1, 1948.

The Communist Party of the United States of America from the time of its inception in 1919 to the present time is an organization that believes in, advises, advocates, and teaches the overthrow by force and violence of the Government of the United States.—

Attorney General Francis Biddle—Opinion on the case of Harry Bridges, May 28, 1942—

The Communist Party is actually functioning as a border patrol on American shores for a foreign government, the Soviet Union.—

Special Committee on Un-American Activities Report, January 3, 1940, page 4—

An organization operating under centralized discipline, subordinated to commune with Communist Party of the Soviet Union. Its basic aim, whether open or concealed, is the abolition of our present economic system and democratic form of government and of the establishment of a Soviet dictatorship in its place—an organization resorting to deception, evasion, illegal methods, violence, civil war, methods implicit in its revolutionary purpose.

Congressional Committee on Un-American Activities. Report No. 209, April 1, 1947, page 1 of Report No. 1920, May 11, 1948—

Communist Party is a small compact group of professional revolutionists. The overall strategy of the Communist Party is designed to bring about the destruction of all democratic governments.

I felt it appropriate to read that at this point, Mr. Chairman, in view of the fact that this gentleman signed this statement on June 20, 1951, about 6 or 7 years after these facts became a matter of public knowledge.

Mr. JACKSON. Thank you, Mr. Doyle.

Continue, Mr. Counsel.

Mr. TAVENNER. I do not know whether the witness has declined to answer the question or not.

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. What is the question?

Mr. TAVENNER. As I remember it, the question that I asked, which you have not answered, was whether or not on June 20, 1951, you were subject to the discipline of the Communist Party?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I must decline on the grounds as previously stated.

Mr. TAVENNER. During the course of her testimony, Mrs. Barbara Hartle identified you as a person known to her to have been a member of the Communist Party. Was she truthful and correct in that identification of you?

Mr. STROM. I must decline to answer on the grounds and for the reasons previously stated.

Mr. TAVENNER. You are acquainted with Barbara Hartle; are you not?

Mr. STROM. Same answer.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. STROM. I must answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. Captain, did you resign from the Communist Party prior to today?

(At this point Mr. Strom conferred with Mr. Booth.)

Mr. DOYLE. You said you are not a member of the Communist Party today.

Mr. STROM. I must decline to answer on the same grounds for the same reason.

Mr. DOYLE. You understand, I think, as a matter of law, that you should rely on your distinguished counsel, but I am sure that the law is not that you must decline; there is no "must" about it. I want to make that clear. It is a matter of your own volition and choice.

If I am not correct there, counsel, would you please make it clear to him that you think I am in error when I make that statement?

(At this point Mr. Booth conferred with Mr. Strom.)

Mr. DOYLE. It is not a matter of compulsion.

Mr. STROM. I recognize it is my own decision, but the time factor is an element here, too.

Mr. DOYLE. Now while I recognize that there is no inference, as I understand the law, that you are guilty of any crime by reason of the fact that you do plead the fifth amendment, I say to you that I think the record shows that it is possible that you were a member of the Communist Party at the time you signed this declaration on June 20, 1951, although I am not drawing any inference, you understand.

But I want to say this to you, sir: I just cannot conceive of a man who is captain of a fire department of one of our major cities going so far underground and contrary to the American form of government as to join the Communist Party.

Now why don't you do what Mr. Dennett did—the man who sat before us here with his knitting? We are only going to be here until late today. Why don't you reconsider your position as an American citizen and a distinguished officer of the fire department of this city?

If you were a member of the Communist Party, even though the tenets of the Communist Party are revolutionary, I am going to as-

sume for the purpose of this invitation that you were never a hard-core Communist, that you were never a revolutionist in intent. I cannot conceive of you as being a revolutionist in intent, although you were certainly a member of that outfit.

Now if you were not a revolutionist in intent, before you are an hour older or 2 hours older, why don't you reconsider your position and come clean and help your United States Government and your city to know the extent to which the Communist Party infiltrated the Fire Department of the City of Seattle? Why don't you do that? Isn't that your patriotic duty as an American citizen? Why don't you take a couple of hours recess, if you need it, and come clean and help your city that has supported you all these years? You have educated your family through tax money. Why don't you help your city to understand the extent to which it has been endangered?

As our counsel has said, it is a terrible thing for it to be a fact, if it is, that even one captain of the fire department is under the domination of the Communist Party in Seattle. Think of the possibilities. You, sir, I take it, control the whole policy of a branch fire department station, if not the central station itself, under the chief.

And if you were a member of the Communist Party, you took the line of the Communist Party or you didn't stay in—we know that.

Now I am giving you an invitation to take an hour or two recess and think it over. I won't rest comfortably nor will any other member of this committee or resident of Seattle rest comfortable until we know whether or not you are still a member of the Communist Party—because if you are not today and you were yesterday, how can we believe your testimony? I don't understand how you expect us to believe it under the circumstances.

I appreciate your listening to me. I realize that you can't talk back, but think it over. I cannot help but think that I am addressing a possible Communist. If you are not, why don't you disabuse my mind of that fact?

Thank you very much for letting me talk to you.

Mr. JACKSON. Do you have anything further, Mr. Counsel?

Mr. TAVENNER. I have nothing further, Mr. Chairman.

Mr. JACKSON. I want to concur fully in what has been said by Mr. Doyle. I shall not labor the matter any further except to say that from time to time the members of this committee have a very real feeling of regret when an individual in your position takes his career, weighs it in the scale of his mind, and decides that he is going to decline to assist the committee.

I, too, hope that you will give this matter further consideration, bearing in mind what Mr. Velde said the other day about full, frank, and open discussion and the attitude of this committee relative to prosecution.

If there is nothing further, the witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Will you call your next witness, please?

Mr. TAVENNER. Hildur Josephine Hughes, will you come forward, please?

Mr. JACKSON. In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mrs. HUGHES. I do.

Mr. JACKSON. Be seated, please.

**TESTIMONY OF HILDUR JOSEPHINE HUGHES, ACCOMPANIED BY
COUNSEL, JOHN CAUGHLAN.**

Mrs. HUGHES. First of all, I want to say that on the first day of the hearings Mr. Doyle made this statement: That this committee was not like the Dies committee because there was a book of rules and in this book of rules a witness could have counsel.

Now it so happens that my right of counsel has been jeopardized, because my counsel has been stigmatized by this committee, so I do not feel that I have full counsel.

Mr. JACKSON. The Chair will say that the nature of the advice that you will receive from your counsel is unquestionably the same advice that you would have received had he not been subpoenaed.

Please be seated.

Mr. CAUGHLAN. May I comment on that, Mr. Chairman?

Mr. JACKSON. No. I am sorry.

Proceed, Mr. Counsel.

Mr. TAVENNER. What is your name, please?

Mrs. HUGHES. Before I answer that question, I just want to make the observation that it was Mr. Harold Velde of this——

Mr. TAVENNER. May I interrupt?

Mrs. HUGHES. Of this committee who issued the subpoena——

Mr. JACKSON. Order, please.

The witness will remain in order and please wait for questions to be asked, and please be responsive to them.

Mr. TAVENNER. I would suggest that the witness be directed to answer the question.

Mr. JACKSON. What is the pending question?

Mr. TAVENNER. To state her name.

Mrs. HUGHES. I am going to answer it.

Mr. TAVENNER. Then will you answer it first?

Mrs. HUGHES. Hildur Josephine Hughes, and I wanted to observe that it was Mr. Harold Velde who issued the subpoena to former President Harry S. Truman.

Mr. TAVENNER. I thought that.

Mr. JACKSON. That, of course, is precisely what we expected to hear. The subpoena issued to former President Truman has nothing to do with the subpoena issued to you. If you will confine yourself as closely as possible to answering the questions that are asked, we could expedite this——

Mr. TAVENNER. You are accompanied by counsel, are you not?

Mrs. HUGHES. Mr. John Caughlan is my counsel.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. CAUGHLAN. Before I do so, the stenographer has requested that Mrs. Hughes spell her name, and I think it would be a good idea for her to do so.

Mrs. HUGHES. H-i-l-d-u-r Josephine H-u-g-h-e-s.

Mr. CAUGHLAN. I am John Caughlan of the Seattle Bar.

Mr. TAVENNER. Where do you reside? Is it Miss or Mrs. Hughes?

Mrs. HUGHES. Mrs.

Mr. TAVENNER. Where do you reside, Mrs. Hughes?

Mrs. HUGHES. Well—I reside in Seattle.

Mr. TAVENNER. How long have you lived in Seattle?

Mrs. HUGHES. I want to first of all state that I have been disturbed by the general tenor—

Mr. TAVENNER. Mr. Chairman, may I suggest that the answer is not responsive to the question?

Mr. JACKSON. It is quite obvious that it is not responsive.

Will you please answer the question? Then if any explanation is needed as to why you are so answering, you will get an opportunity to give it.

(At this point Mr. Caughlan conferred with Mrs. Hughes.)

Mrs. HUGHES. What was the question?

Mr. TAVENNER. Read the question.

(Question was read.)

(At this point Mr. Caughlan again conferred with Mrs. Hughes.)

Mrs. HUGHES. Well, it is approximately 30 years.

Mr. TAVENNER. Will you please state your present occupation?

Mrs. HUGHES. Well, on that one I am going to go back to the Constitution, article IX—

The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people,

and if one is to be silent, to be a witness before this committee, it jeopardizes your position, so I will also invoke the preamble to the Constitution, which says,

We the people of the United States, in order to form a more perfect Union, establish justice, insure domestic tranquility—

Mr. JACKSON. The witness will suspend. The preamble to the Constitution is not a legal reason for declining to answer the question.

Mrs. HUGHES. Then—

Mr. JACKSON. Will the witness be good enough to proceed to the legal reasons she intends to advance?

(At this point Mr. Caughlan conferred with Mrs. Hughes.)

Mr. TAVENNER. Mr. Chairman, may I be permitted to withdraw the question?

Mr. JACKSON. The question will be withdrawn.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mrs. HUGHES. I wish to invoke article IX.

Mr. TAVENNER. Do you refuse to answer the question?

Mrs. HUGHES. I refuse to answer the question on the grounds of the first amendment, and I think that article is known to most people—

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances.

And again article IX, the right to be silent. And I just want to comment on that: that our whole idea of secret balloting is based on the right to be silent, because if you go into a booth and vote and everybody knows how you have voted, it might happen that if you voted for a Democrat you might be fired by a Republican boss. The right to be silent is a basic fundamental right.

And then I invoke the fifth amendment, under the section regarding due process of law and that I do not have to be a witness concerning myself.

Mr. TAVENNER. Mr. Chairman, I have endeavored to give this witness the privilege, as well as the right, to answer or to comment upon testimony which was introduced at this hearing which has affected her, but in light of her apparent attitude about it I do not desire to ask any further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. Is there any reason why the witness should not be excused from further attendance under the subpoena?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused.

(Witness was excused.)

Mr. JACKSON. Call the next witness, Mr. Tavenner.

Mr. TAVENNER. Stanley O. Iverson.

Mr. JACKSON. Will you raise your right hand, please?

Mr. IVERSON. Mr. Jackson, I have a question about the rules of procedure of this committee.

Mr. JACKSON. Will you raise your right hand and be sworn? Then you can be qualified.

Mr. IVERSON. I am asking a question, not making a statement.

Mr. JACKSON. What is the question?

Mr. IVERSON. The question involves the rules of procedure of this committee.

On Monday morning, when I came down to find out what was being said against me, I was excluded from this chamber, although you had evidently given out passes to a number of supporters of yours, to a number of people who supported you. I understand that they were screened by Mr. Canwell.

Now I want to know why I wasn't permitted to hear what was being said about me on that day?

Mr. JACKSON. You will be informed by counsel of the nature of the testimony. Meanwhile, you are present in the hearing room in answer to a subpoena. It is not the intention of the Chair to make any explanation whatsoever to you, sir, as to the conduct of this committee.

Will you raise your right hand and be sworn now?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. IVERSON. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF STANLEY O. IVERSON, ACCOMPANIED BY COUNSEL, JOHN CAUGHLAN

Mr. IVERSON. I shall answer that question as I shall answer each and every question of this committee—this McCarthyite committee—under protest.

Mr. JACKSON. Very well, your protest is noted.

Mr. TAVENNER. Now will you proceed to answer the question?

Mr. IVERSON. My name is Stanley O. Iverson, I-v-e-r-s-o-n.

Mr. TAVENNER. I note that you are accompanied by the same counsel who accompanied the preceding witness.

Mr. IVERSON, when and where were you born?

Mr. IVERSON. I thought you asked me a question.

Mr. TAVENNER. No, I made a statement.

Mr. IVERSON. You made a statement; you don't care to ask questions now?

Mr. TAVENNER. The question is when and where were you born?

Mr. IVERSON. I was born in Missoula, Mont., 1927.

Mr. TAVENNER. Where do you now reside?

Mr. IVERSON. I protest that question because, as you very well know, there have been innumerable instances of organized hoodlumism in this city, directed against persons who appeared before this committee.

Mr. TAVENNER. Well, do you live in the city of Seattle?

Mr. IVERSON. I live in the city of Seattle.

Mr. TAVENNER. How long have you lived in Seattle?

Mr. IVERSON. Since, roughly, about the middle part of 1951.

Mr. TAVENNER. Where did you live prior to that?

Mr. IVERSON. I lived in Spokane, Wash.

Mr. TAVENNER. How long were you a resident of Spokane?

Mr. IVERSON. It seems to me that I came to Spokane in either the early part of 1947 or the latter part of 1946. I am not quite clear as to the exact date.

Mr. TAVENNER. While you were living in Spokane, were you a member of the Communist Party?

Mr. IVERSON. Now you very well know that that question is a question which involves political belief, that that is a question which involves conscience, that it involves questions of mind, questions of thought, questions of affiliation—that it is a question which is akin to those questions which were asked in England and in other parts of Europe in religious matters, in matters of politics—that this is a question which the star chamber and the inquisition asked—in effect, “Are you a member of a nonconformist group or are you a heretic?”—and I am going to decline to answer that question on the basis of the ninth article of the Bill of Rights, which says that the rights which are enumerated are not limited to just those which are enumerated and that the enumeration of those rights is not intended to disparage other rights held by the people.

I am going to refuse to answer that question on the basis of the tenth article of the Bill of Rights, the article which provides that certain powers are retained by the States and by the people, and I am going to refuse to answer that question on the basis of the first article of the Bill of Rights, that article which provides that there shall be freedom of speech, the freedom to assemble, the freedom to print—freedom of the press, in other words—freedom of religion; and I infer from the fact that it guarantees freedom of speech that it also guarantees the inferred corollary—the right to freedom of silence.

This committee, in asking that question, is very definitely striking at the right to speak, for it is saying, in effect, that there will be penalties. As I know, and as many other people know, men have already been fired from their jobs simply on the basis of receiving a subpena—

Mr. DOYLE. Mr. Chairman.

Mr. IVERSON. Before they ever appeared.

Mr. JACKSON. The witness will suspend for a moment.

Mr. DOYLE. I think we have given you plenty of freedom of speech to pronounce your prepared tirade.

I call for order, Mr. Chairman.

Mr. JACKSON. Yes.

Mr. IVERSON. Will you permit me to develop my legal reasons?

Mr. DOYLE. Give them.

Mr. IVERSON. I am developing them.

Mr. DOYLE. You don't know how to build them.

Give your legal reasons and stop your tirade.

Mr. JACKSON. It would be very much appreciated by the Chair if the witness would give his legal reasons. It isn't necessary to read all of the Bill of Rights in order to secure the protection of that Bill of Rights.

Mr. IVERSON. Mr. Jackson, I am going to have just as much consideration for this committee as this committee has consideration for me.

Mr. JACKSON. This committee will show you every courtesy which you show this committee. It has been extremely patient with you and with other unfriendly witnesses. However, let me make it clear that unless you proceed to invoke the constitutional rights within the next several minutes, the Chair intends to dismiss you from further attendance on the committee.

Mr. IVERSON. Now, Mr. Jackson, I am going to develop my legal reasons in detail because, as you very well know, whether this committee is interested in those reasons or not, if this becomes a matter that goes into the courts of this land, the proper expression of those legal reasons will be extremely important.

Mr. JACKSON. Very well.

Mr. IVERSON. I do not intend to be gagged by you, sir.

Mr. JACKSON. Will you please move to the reasons as quickly as possible?

Mr. IVERSON. Now Mr. Doyle, the person from California, has given a very interesting account of the fifth amendment. Mr. Doyle has said that the use of the fifth amendment does not involve any connotation at all, that it does not mean that a person is guilty, and in this he seems to contradict some of his own statements and the statements or inferences or innuendos of other members of your committee.

Mr. TAVENNER. Mr. Chairman—

Mr. JACKSON. Unless the witness proceeds immediately to give the constitutional grounds upon which he is taking his stand, it is the intention of the Chair to have him removed from the hearing room.

Mr. IVERSON. I am endeavoring, over the harassment of this committee, to state those grounds.

Mr. JACKSON. The committee is also sometimes harassed but we do not intend to be harassed any longer. Proceed to the statement of your constitutional reasons without any further speeches.

Mr. IVERSON. Now I invoke those parts of the fifth article of the Bill of Rights which historically have been used and were originated for the purpose of defending people from this type of McCarthyite inquisition, although they didn't call it "McCarthyite" when it was origi-

nated—and I am going to refer to the right not to bear witness against oneself.

Mr. JACKSON. Proceed, Mr. Counsel, with your questions.

Mr. TAVENNER. Mr. Chairman, it is quite obvious that it would be a waste of time to inquire further. I have no questions.

Mr. JACKSON. Is there any reason why the witness should not be excused from further attendance under the subpoena?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused, and he may sign his voucher for witness fees.

(Witness was excused.)

Mr. DOYLE. For the information of the record and those who may be interested, I am often asked what the witness fee is that these witnesses get. They get \$6 a day and mileage.

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Ludington.

Mr. JACKSON. Will you raise your right hand, please?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LUDINGTON. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF MELVIN LUDINGTON, ACCOMPANIED BY COUNSEL, JOHN CAUGHLAN

Mr. LUDINGTON. My name is Melvin Ludington.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel that appeared for the last two witnesses.

Mr. Ludington, during the course of the testimony here, you have been identified by Mrs. Barbara Hartle as having been a member of the Communist Party. Do you want to deny it, affirm it, or explain it?

Mr. LUDINGTON. Well, I want to make this point: that the Constitution, as amended, speaks not only of freedom of speech, but it also speaks of trial by—

Mr. TAVENNER. Just a moment. I am giving you your choice. You need not say a word if you do not desire to do so. I am saying to you: Do you want to deny it? Do you want to admit it? Do you want to explain it?

Mr. LUDINGTON. I want to explain to my friends and neighbors and the people that I, as an American citizen, born and raised in America, have served my country well; that I protest being dragged before this committee and tried by accusation and not by trial and jury.

Mr. JACKSON. Let the record show that no accusation has been entered against the witness by the committee. He has merely been asked to explain certain information which has come into the possession of the committee.

Do you decline to answer?

Before you proceed any further, will you please answer the question that is pending?

Mr. LUDINGTON. Counsel advises me that he does not think there is a question pending at this time.

Mr. JACKSON. Very well, the Chair will direct one.

Are you now a member of the Communist Party?

Mr. LUDINGTON. Being that, as reasons stated before, that to explain to my friends and neighbors why this question is asked, in its entirety it is asked to put me on trial here, which under the sixth amendment of the Constitution guarantees to me the right to be tried by jury; and further entering into the realm of my own personal business; and, further than that, under the fifth amendment to the Constitution, it gives me the right not to testify about myself.

I refuse to answer the question.

Mr. JACKSON. Do you have any further questions, Mr. Counsel?

Mr. TAVENNER. I have no questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Shifferly.

Mr. JACKSON. Will you raise your right hand, please?

Mr. SHIFFERLY. Before raising my hand, I want to protest on being called up here before this type of committee, which has no authority to question me.

And I want to further protest on behalf of my counsel of the attempts to deny me of counsel which were made by this committee, and as a result of that we both feel intimidated.

Mr. JACKSON. Will you raise your right hand now and be sworn?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing by the truth, so help you God?

Mr. SHIFFERLY. I do.

Mr. JACKSON. Be seated please.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF WILLIAM CARL SHIFFERLY, ACCOMPANIED BY COUNSEL, JOHN CAUGHLAN

Mr. SHIFFERLY. One other request—

Mr. JACKSON. Will the witness please be seated?

Mr. SHIFFERLY. I want the cameras to stop. They can take pictures all they want, but stop all the time I am on the stand.

Mr. JACKSON. All right. The television cameras, in accordance with—

Mr. TAVENNER. He didn't say television.

Mr. SHIFFERLY. I just asked for these flash cameras—the ones that blind you.

Mr. JACKSON. You have no objection to television?

Mr. SHIFFERLY. No, no objection to television.

Mr. JACKSON. Very well. To the extent that it is consistent with proper coverage of the testimony of this witness, it will be appreciated if the press would refrain from taking these pictures.

Mr. DOYLE. And of course to the degree, Mr. Chairman, as you have often stated, consistent with the freedom of the press in America, which we always observe.

Mr. JACKSON. Yes. Proceed, Mr. Counsel.

Mr. TAVENNER. What is your name, please, sir?

Mr. SHIFFERLY. William Carl Shifferly, S-h-i-f-f-e-r-l-y.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel that represented the previous three witnesses.

Mr. CAUGHLAN. May I disassociate myself from the statement just made by my client—that I am in any way intimidated by this committee? I am not.

Mr. JACKSON. No, it is not the intention of the committee to intimidate you.

Mr. CAUGHLAN. That I disagree with.

Mr. JACKSON. That is your privilege.

Mr. TAVENNER. When and where were you born?

Mr. SHIFFERLY. I will consult with counsel.

(At this point Mr. Shifferly conferred with Mr. Caughlin.)

Mr. SHIFFERLY. I was born in Tacoma, Wash., 1903.

Mr. TAVENNER. Where do you now reside?

Mr. SHIFFERLY. Winlock, Wash., Route 1, box 332-B.

Mr. TAVENNER. How long have you lived there?

Mr. SHIFFERLY. Well, sir, at the present address which I maintain now, it has been about 3 months, approximately.

Mr. TAVENNER. Prior to that, where did you reside?

Mr. SHIFFERLY. At Toledo, Wash.

Mr. TAVENNER. How long did you live at Toledo?

Mr. SHIFFERLY. That is kind of a split-up story, where I lived there for a certain length of time and was away, and was back another certain length of time, and I would say probably a rough estimate of 3 years.

Mr. TAVENNER. Do you know Mrs. Barbara Hartle?

Mr. SHIFFERLY. I will consult with counsel.

(At this point Mr. Shifferly conferred with Mr. Caughlan.)

Mr. SHIFFERLY. Mr. Chairman, to answer such a question, I am sure would degrade me, and that I would lose my friends and associates to make such a statement that you want me to make, and for that reason I will decline to answer your question standing on the grounds of the fifth amendment.

Mr. TAVENNER. Mrs. Hartle has identified you as having been a member of the Communist Party and in fact as a district functionary of the Communist Party. I would like to give you this opportunity to tell the committee whether or not that is true, and if it is true to explain the circumstances as fully as you desire of your membership and whether or not you got out of the Communist Party.

Mr. SHIFFERLY. I will consult with counsel.

(At this point Mr. Shifferly conferred with Mr. Caughlan.)

Mr. SHIFFERLY. Brother Chairman—

[Laughter.]

Mr. SHIFFERLY. Or; excuse me.

Mr. JACKSON. Order in the hearing room, please. As long as it isn't "Comrade Chairman."

Mr. SHIFFERLY. They do use that expression in the American Legion and various other organizations.

Mr. JACKSON. In a somewhat different sense.

Mr. SHIFFERLY. I would like to have you repeat the question again, as I am all mixed up as a result of this laughter and delay.

Mr. TAVENNER. Do you deny Mrs. Barbara Hartle's identification of you as having been a functionary of the Communist Party, or do you want to tell this committee that she was correct in the identification; or, on the other hand, if you want to explain it—if you want to tell the committee when you got out of the Communist Party, if you were ever in it, we will be glad to hear that.

Mr. SHIFFERLY. In regard to your question, I will say that it goes into the field of my civil rights, which are guaranteed by the Constitution and the Bill of Rights, and under which committees such as this have no right to question me about the things that are guaranteed under the Constitution and the civil rights, and the members of the committee know that very well. And I refuse to answer that question standing on the grounds of the fifth amendment, which is the shield of the innocent.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. SHIFFERLY. You have asked the same witch-hunting question, and I will give you the same answer as in the last.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. In view of the fact that the witness has made a statement that is not founded on fact, I would like to have the record show this:

The witness has stated that the committee knows very well that this committee has no right to ask these questions. I want the record to show what I have called attention to before—that the Communist Party of the United States of America was found back in 1947 to be a subversive organization and that under Public Law 601, passed by the 79th Congress, this committee was officially delegated and authorized to investigate the extent, the character, and the objectives of un-American propaganda activities and subversive activities in the United States. We are not going into political philosophies or beliefs. We are, however, authorized to go into the activities of the Communist Party of the United States to the extent of its infiltration into our American experience and life.

Furthermore, I wish the record to show that which I think is well known—that contrary to what this witness has said—the highest courts in our land have held that Public Law 601 is constitutional; and, it being constitutional, this committee therefore is a constitutional committee and it is not true, as this witness has stated, that it is unconstitutional and that we have no right to proceed under the law.

Mr. JACKSON. Thank you, Mr. Doyle.

Is there any reason why this witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. CAUGHLAN. Sir, may I inquire if I may now be excused until 2 o'clock this afternoon?

Mr. TAVENNER. Do you represent any other witnesses?

Mr. CAUGHLAN. I represent no further persons before this committee. I desire to be excused until 2 o'clock.

Mr. JACKSON. Very well, you are excused.

Mr. CAUGHLAN. Could I inquire whether it is your intention to call me at 2 o'clock?

Mr. JACKSON. We will accommodate you to the best of our ability.

Mr. CAUGHLAN. Thank you. I will be here at 2 o'clock, and I hope you will call me at that time, if you are going to call me.

Mr. TAVENNER. You will be called.

Mr. CAUGHLAN. Thank you.

Mr. JACKSON. Do you have anything further at this time, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Very well, the committee will stand in recess until 1 o'clock.

(Whereupon, at 12 m., the hearing was recessed, to reconvene at 1 o'clock, p. m.)

AFTERNOON SESSION

(Whereupon, at 1 o'clock, p. m., the hearing was reconvened.)

Mr. JACKSON. The committee will be in order.

Are you ready to proceed, Mr. Counsel?

Mr. TAVENNER. Yes, sir.

Mr. Algot Starr, will you come forward, please?

Mr. JACKSON. Will you raise your right hand and be sworn, sir?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. STARR. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

(At this point Mr. Starr conferred with Mr. Hatten.)

TESTIMONY OF ALGOT STARR, ACCOMPANIED BY COUNSEL, C. T. HATTEN

Mr. STARR. I will answer this question under protest, because I feel that this is in violation of my rights under the fifth amendment, so it is under protest that I answer this question.

Mr. TAVENNER. Very well, sir.

Mr. TAVENNER. My name is Algot Starr.

Mr. TAVENNER. Will you spell it, please?

Mr. STARR. A-l-g-o-t S-t-a-r-r.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. STARR. By very able counsel.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. HATTEN. My name is C. T. Hatten. I am an attorney in the State of Washington.

Mr. TAVENNER. When and where were you born, Mr. Starr?

(At this point Mr. Hatten conferred with Mr. Starr.)

Mr. STARR. I will answer that but I will state my objection to it—that I believe that this also is in violation of the fifth amendment, even as to testifying where I was born.

However, I was born in Woodworth, N. Dak.

Mr. TAVENNER. Where do you now reside?

Mr. STARR. I will answer this question, but I want to state that it may work a hardship on people other than myself. It so happens that

I live in an apartment house and I only hope that by answering this question that these people do not get telephone calls, which there has been. Some reactionary imbecile might threaten to burn their house down.

Mr. JACKSON. Very well.

Mr. STARR. I wonder if this committee would withdraw that question due to the fact that it may work a hardship on the apartment owners?

Mr. TAVENNER. In what community do you live?

Mr. STARR. I live in Everett.

Mr. TAVENNER. How long have you lived there?

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. STARR. Again under protest I will answer this question. I have lived there since 1948.

Mr. TAVENNER. Have you lived at any other place since July 1950?

Mr. STARR. No; I haven't.

Mr. TAVENNER. What is your occupation?

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. STARR. This committee knows very well what my occupation is, because the subpoena which I received was served to me on the job and it was signed by the chairman of this committee, so this committee already has that information.

Mr. JACKSON. Aside from that, the record does not have that information. Let us get it into the record.

(At this point Mr. Hatten conferred with Mr. Starr.)

Mr. STARR. Mr. Chairman, I will refuse to answer this question, because I am well aware of the fact that there is hundreds of people who have appeared before this committee—and they are doctors, lawyers, all walks of life—and because they have appeared before this committee their occupations were jeopardized, and it so happens that my livelihood is dependent on my occupation.

Mr. DOYLE. Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. Now that the gentleman has made a speech, of course he is making a statement which is not true to fact, and I move that the witness be instructed to answer.

Mr. JACKSON. Yes, as part of the proper identification of the witness, he is instructed to answer the question as to his occupation.

Mr. STARR. I will refuse to answer this question under the fifth amendment of the Bill of Rights, which guarantees me the right that I need not testify about myself.

Mr. JACKSON. Very well. Proceed, Mr. Counsel.

Mr. TAVENNER. Have you at any time been a member of the International Woodworkers of America?

Mr. STARR. I will refuse to answer that question under the following grounds: First, that under the first amendment of the Constitution, this amendment guarantees the right to the people of the freedom of assembly and the freedom of speech, and to substantiate this I now quote the first amendment:

Congress shall make no law respecting an establishment of religion or prohibiting the free exercise thereof; or abridging the freedom of speech or of the press; or the right of the people to peaceably assemble and petition for redress of grievances.

And to enlarge on this——

Mr. JACKSON. That isn't necessary. Let us proceed to your other constitutional grounds, if you will, please.

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. DOYLE. As a matter of information to the witness, he didn't quite recite the first amendment perfectly; I think he missed four words.

Mr. STARR. After all, I am just an ordinary worker; I am not a Congressman.

Mr. JACKSON. Let us proceed to your other constitutional reasons.

Mr. STARR. I also refuse to answer this question under the fifth amendment of the bill of rights, and I refuse to testify about myself.

Mr. JACKSON. Do you have further questions, Mr. Counsel?

Mr. TAVENNER. How can you honestly contend that to answer the question as to whether or not you had been a member of a legitimate labor union might tend to incriminate you?

(At this point Mr. Hatten conferred with Mr. Starr.)

Mr. STARR. I also refuse to answer that question on the grounds previously stated in the last question.

Mr. TAVENNER. Isn't that an unjust reflection upon all of the rank-and-file membership of that union?

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. STARR. I don't believe this is any reflection against me or against anybody else. I will also refuse to answer that question on the grounds of the fifth amendment.

Mr. TAVENNER. You were identified during the course of the testimony here this morning by Mrs. Hartle as one of a group of Communist Party members working within the International Woodworkers of America. Is that true or false?

Mr. STARR. Well, the fact of it is I never do listen very attentively to any stool pigeon, whether they are stool pigeons in the Communist Party or in the labor movement.

Mr. TAVENNER. Regardless of that, I am telling you now that that is the statement that was made here. Is it true or false?

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. STARR. I will refuse to answer that question and I will invoke the fifth amendment of the Constitution and I will not testify about myself.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. STARR. This question is the same type of a question as "Have you stopped beating your wife?"—because I am well aware that there is men and women who have been indicted and dragged into court and thrown in jail because they said they were members of the Communist Party. I am also aware of the fact that there is people who said they were not members of the Communist Party and were charged with perjury. So there you have it.

So before I answer that question, I will consult with counsel.

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. STARR. I will refuse to answer that question and again invoke the fifth amendment of the Bill of Rights and I will not testify about myself.

Mr. TAVENNER. Have you ever been a member of the Communist Party at any time?

Mr. STARR. This is the same kind of a question and I will give the same reasons for refusing to answer as I did in the previous questions.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. You referred to someone who testified before this committee as a stool pigeon. Whom did you refer to?

(At this point Mr. Starr conferred with Mr. Hatten.)

Mr. DOYLE. In connection with your name.

Mr. STARR. I will refuse to answer this question and invoke the fifth amendment and will not testify about myself.

Mr. DOYLE. I have no other questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Verl F. Hemeke.

Mr. JACKSON. In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. HEMEKE. I do.

Mr. JACKSON. Be seated, please.

Mr. HEMEKE. I want to have one understanding about the broadcasting on the television before I am questioned.

Mr. JACKSON. Do you have a request to make in that connection?

Mr. HEMEKE. In that connection I have a request.

Mr. JACKSON. Will you state it?

Mr. HEMEKE. On Monday night as I watched television, when the last witness on the program identified himself, in undertones it was told that the people taking the pictures were not from the newspapers but that they were rather from the police department and that the police department was interested in him. I want a guaranty from this committee that there will be no such remarks made behind my back that I can't hear while I am sitting here.

Mr. JACKSON. The committee has no intention of making any remarks whatever.

Mr. HEMEKE. That is all I ask.

Mr. JACKSON. Proceed.

Mr. TAVENNER. State your name.

TESTIMONY OF VERL F. HEMEKE, ACCOMPANIED BY COUNSEL, SARA H. LESSER

Mr. HEMEKE. Verl F. Hemeke, H-e-m-e-k-e.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. HEMEKE. I am.

Mr. TAVENNER. Will counsel please identify herself?

Miss LESSER. I am Sara H. Lesser of the Seattle bar.

Mr. TAVENNER. When and where were you born, sir?

Mr. HEMEKE. I was born at Everett, Wash. My father was a militant shop steward in the shingle-weavers' union during the time of—

Mr. TAVENNER. I just asked when and where you were born.

Mr. HEMEKE. Yes.

Mr. TAVENNER. Where do you now reside, in Everett?

Mr. HEMEKE. I reside in Pinehurst, and contrary to anyone else's beliefs I think that the people, the working people, the Democratic Party, the people that believe in fair justice, will not see that there is

any harm done to me. I have no fear of any violence in that sector of the country because of this committee.

Mr. TAVENNER. I am certain that is true.

Mr. HEMEKE. That is entirely true.

Mr. TAVENNER. How long have you lived there?

Mr. HEMEKE. I have lived in Everett the full length of my life, outside of a time or two in leaving that county.

Mr. TAVENNER. What is your occupation?

Mr. HEMEKE. As to my occupation, I consider that my occupation is a property right that I don't want to add to the theory that you folks have of guilt by association.

Mr. JACKSON. Do you decline to answer the question?

Mr. HEMEKE. I decline to answer the question and I am giving some reasons now.

Mr. JACKSON. Upon what grounds?

Mr. HEMEKE. On the grounds that I don't want to add to the theory of guilt by association, including any trade union brothers that I might have, and so forth.

Mr. JACKSON. Proceed to your constitutional reasons.

Mr. HEMEKE. I am going to. I would like to ask this committee if, having allowed people to testify to what they think, politically, over a number of days here, are you going to limit me to a question of constitutional reasons and not allow me to enter into the sphere of political policies as has been testified to here for days?

Mr. JACKSON. This is a considerable amount of political nonsense, I might add.

You have been asked a question. Will you kindly answer it?

Mr. HEMEKE. I am going to answer, but I want to know, are you restricting me to the legal when the evidence presented here to date has been political?

Mr. JACKSON. Yes. It is voluntary testimony on the part of individual witnesses. However, I assume that you are going to decline to answer the questions. We are certainly not under any necessity of listening to a prolonged set of reasons which have no constitutional basis.

Mr. HEMEKE. Unless I conform with your political opinions.

Mr. JACKSON. I would never want you to conform with my political opinions, and I question very much that you ever would. However, will you please state your constitutional reasons for declining to answer the question?

Mr. HEMEKE. Would you mind repeating the question?

Mr. TAVENNER. Read the question.

(Question was read.)

Mr. HEMEKE. I am going to stand on the grounds that is a property right, that under the fifth amendment I am not required to testify about myself—not necessarily saying against myself—but I am not required to testify about myself, as is in the fifth amendment.

Mr. TAVENNER. Mr. Hemeke, I have not asked you any question about your political beliefs or opinions; it is not my purpose to so do. I want to inquire only as to acts and conduct.

Mr. HEMEKE. Could I say a point on that? Could I say an answer?

Mr. TAVENNER. Not until I ask you a question relating to it, and then you may answer.

Now you have been identified here as having been a member of the Communist Party and having functioned as a Communist Party member.

Mr. HEMEKE. Would you reread that from the record?

Mr. TAVENNER. It is my purpose to ask you what your knowledge is, if any, of Communist Party activities.

Mr. HEMEKE. Mr. Counsel, I was not allowed to get in this room for several days. When I did, I was not given the courtesy of a seat and neither was my counsel given the courtesy of a seat. I have been rather booted around here, and I would like to ask you to extend the courtesy to me of reading back the testimony that was given on myself.

Mr. TAVENNER. Of course you know that that is impractical.

Mr. HEMEKE. Is it practical to tell me at this time what this committee says I am charged with?

Mr. TAVENNER. You are not charged with anything—

Mr. HEMEKE. You mentioned what the evidence was.

Mr. TAVENNER. Except that you have been identified—

Mr. HEMEKE. Would you mind repeating it word for word?

Mr. JACKSON. Mr. Counsel, I think we can resolve this matter very quickly.

As I remember the nature of the testimony, you were identified as a member of the Communist Party.

Mr. HEMEKE. I want that in full.

Mr. JACKSON. Just a moment. I will have a question to ask you in just a moment and then you will have your opportunity to make a very flat and comprehensive denial of any allegation that may have been made.

As I recall the nature of the testimony, it was to the effect that you had been a member of the Communist Party. I desire now to ask you whether you have ever been a member of the Communist Party?

Mr. HEMEKE. I ask that the exact wording which was put in evidence here against me be read at this time.

Mr. JACKSON. The exact wording of my question is very clear and, without respect to any other consideration, I repeat the question—Have you ever been a member of the Communist Party?

Mr. HEMEKE. I repeat my request to speak politically on what has been brought before me, as well as legally.

Mr. JACKSON. Do you decline to answer the question?

Mr. HEMEKE. I do not decline. I intend to answer the question.

Mr. JACKSON. Will you answer the question?

Mr. HEMEKE. I first want to know—I want also to answer the question that the counsel raised as regards to “political.” You say I am allowed to speak—or rather it is not necessary for me to speak politically, but you have for days brought here witnesses and tried to identify what a certain section of the people that she thinks or they think or whoever has testified think that a certain section of the people think. Then you want to hang me on the hook of what they think a certain group of people stand for, without allowing me to discuss what I think in regards to political activity. You want me to restrict my rights to legal.

Mr. JACKSON. I don't want you to restrict your rights to anything. What I would like to have you do is give a full answer to the question which I have just asked—Have you ever been a member of the Communist Party?

Mr. HEMEKE. I am going to answer that question in my own way, because——

Mr. JACKSON. Will you answer it first and then explain your answer?

Mr. HEMEKE. In the first place, I don't think this committee has a constitutional——

Mr. JACKSON. Will you please answer the question?

Mr. HEMEKE. This is a legal reason under the first amendment.

Mr. JACKSON. Answer the question. Then you may give your reasons thereafter.

Mr. HEMEKE. Counsel has advised me I should answer the question first. I stand on my legal grounds of the fifth amendment in refusing to answer this question.

Mr. JACKSON. Are there any additional constitutional grounds that you wish to advance?

Mr. HEMEKE. I want to advance the thinking that this committee has not the constitutional right to inquire into my political beliefs, and I want to say in addition, if you will give me just one minute, that I consider this an antilabor, McCarthyite, Fascist committee—that I would like the privilege to enter the antilabor voting record of this committee into these records, particularly of Mr. Jackson, if he will permit me.

Mr. JACKSON. Of course, your idea as to the nature of this committee, so far as being antilabor is concerned, has certainly not been borne out in the Seattle area in the light of the overwhelming support of organized labor in this district. Your position on that is considerably out of line with what has been expressed by labor organizations in Seattle.

Mr. HEMEKE. Would you let me read your voting record in Congress on the questions of interest to labor and let the TV audience judge for themselves your stand on the record?

Mr. JACKSON. I would certainly not let you read into the record your opinion.

Mr. HEMEKE. I will check it with the Congressional Record.

Mr. JACKSON. That is entirely beside the point; it is not a matter under discussion. We are inquiring into the extent and nature of your activities in the Communist Party, if there were any.

Continue, Mr. Counsel.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. HEMEKE. I will give you the same answer for the same reasons.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Charles Elmer Thrasher.

Mr. JACKSON. In the testimony that you are about to give before this committee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. THRASHER. Yes.

Mr. JACKSON. Let the record show at this point that since the committee convened at 1 o'clock, there has been present at the committee table a legal quorum of the subcommittee appointed by the chairman. You may proceed, Mr. Counsel.

Mr. TAVENNER. What is your name, please, sir?

**TESTIMONY OF CHARLES ELMER THRASHER, ACCOMPANIED BY
COUNSEL, C. T. HATTEN**

Mr. THRASHER. Charles Elmer Thrasher, T-h-r-a-s-h-e-r.

Mr. TAVENNER. Are you accompanied by counsel?

Mr. THRASHER. I am.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. HATTEN. I am C. T. Hatten, member of the bar of the State of Washington.

Mr. TAVENNER. When and where were you born, Mr. Thrasher?

Mr. THRASHER. I was born at North Bend, Wash.

Mr. TAVENNER. Where do you now reside?

Mr. THRASHER. I reside at 16459 54th South, Seattle.

Mr. TAVENNER. What is your age?

Mr. THRASHER. Forty-three.

Mr. TAVENNER. What is your occupation?

(At this point Mr. Thrasher conferred with Mr. Hatten.)

Mr. THRASHER. I object to that question on the grounds of the fifth amendment, which states that my job is my property under the rights of the fifth amendment, which says "Nor shall private property be taken from me at any time without a just cause."

Mr. TAVENNER. I suggest, Mr. Chairman, that the witness be directed to answer.

Mr. JACKSON. Yes, the witness is directed to answer the question as to his employment.

(At this point Mr. Hatten conferred with Mr. Thrasher.)

Mr. THRASHER. I refuse to answer that question on the grounds previously stated, plus the fact that I will not be compelled to testify about myself.

Mr. TAVENNER. Mr. Thrasher, you have been identified by a witness before this committee as having been a functionary in the Communist Party. Do you desire to make any explanation of that testimony by way of denial or affirmation of it? If you do, I desire to give you the opportunity of doing so.

(At this point Mr. Hatten conferred with Mr. Thrasher.)

Mr. THRASHER. May I ask this question? When was I accused of that?

Mr. JACKSON. As far as the committee is concerned, you are not accused of anything. There is information in the possession of the committee which indicates that you may have some knowledge of Communist Party activities in this area. Counsel's question, as I understand it, seeks to determine whether you are willing to cooperate with the Congress of the United States in disclosing such information that you may have in your possession.

(At this point Mr. Hatten conferred with Mr. Thrasher.)

Mr. THRASHER. Is there a question before me now?

Mr. TAVENNER. Yes. Do you desire to make any explanation to the committee of the identification, either by way of denial or affirmation of it?

Mr. THRASHER. I will answer the question in this way: That as everybody knows, in the past 16 or 18 years, even members of the Democratic Party in office in Washington, D. C., have been accused of being Communists, and I will not even honor an accusation by a stoolpigeon. I never have and I never will, and I never will be one, and I base my rejection of answering that question on the fifth amendment, which says that I shall not testify against myself.

Mr. TAVENNER. Have you been a member of the Communist Party at any time in the past?

Mr. THRASHER. Same answer.

Mr. TAVENNER. Are you a member of the Communist Party now?

Mr. THRASHER. Same answer.

Mr. JACKSON. For the same reasons?

Mr. THRASHER. Same reasons.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I noticed a very beautiful blue-green feather on your coat; I have noticed several of you men testifying before us wearing the same attractive green feather. I know that it has nothing to do with subversive activities, but does it represent some membership of some kind—if that is a fair question? I have noticed now 6 or 7 of you wearing that same green feather and I just presume that it has some significance. Is that a part of a fishing fly, or what is it?

Mr. THRASHER. I don't know what the inference is, but I refuse to answer that question on the grounds as previously stated. I might like green, but that is none of your business.

Mr. DOYLE. Well, coming from California, I always notice things that are beautiful and attractive, and I have noticed yesterday and today the same green feather.

Mr. Chairman, I happen to know what it represents for the gentleman's information.

Mr. JACKSON. Is there anything further, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. William K. Dobbins.

Mr. JACKSON. Raise your right hand, sir.

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing by the truth, so help you God?

Mr. DOBBINS. That is correct.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF WILLIAM K. DOBBINS, ACCOMPANIED BY COUNSEL, C. T. HATTEN

Mr. DOBBINS. William Dobbins.

Mr. TAVENNER. It is noted that you are accompanied by the same counsel who accompanied the previous witness.

When and where were you born, Mr. Dobbins?

(No response.)

Mr. TAVENNER. Did you hear the question?

Mr. DOBBINS. I am waiting until they get through [referring to photographers].

Mr. TAVENNER. That is quite all right.

Mr. DOBBINS. Now will you please turn them lights? It glares in my eyes a little bit.

Mr. JACKSON. Just a minute. You are not giving instructions in this court.

Mr. DOBBINS. I asked if you please.

Mr. JACKSON. If you will make a proper request, we will.

Is it your desire not to be televised?

Mr. DOBBINS. No, I don't care about that.

Mr. JACKSON. In that case, the lights are necessary. They are not very pleasant for us up here, either.

Mr. DOBBINS. What was the question?

Mr. JACKSON. Proceed, Mr. Counsel.

Mr. TAVENNER. I believe I asked you when and where you were born.

Mr. DOBBINS. I was born in Idaho in 1898.

Mr. TAVENNER. Where do you now reside?

Mr. DOBBINS. In Ballard—Seattle.

Mr. TAVENNER. How long have you lived in Ballard?

Mr. DOBBINS. Oh, about 18 years, I think.

Mr. TAVENNER. What is your occupation?

Mr. DOBBINS. Laborer.

Mr. TAVENNER. Mr. Ballard, the committee has been told by a witness, Mrs. Hartle, that you were at one time a functionary in the Communist Party. If that is true, you should be in a position to give this committee information regarding the activities of that organization.

Now was her identification of you correct or was it in error?

Mr. DOBBINS. Pardon me? Did you address me? Or didn't you say "Ballard" or something like that?

Mr. TAVENNER. If I said "Ballard," I meant "Dobbins."

(At this point Mr. Dobbins conferred with Mr. Hatten.)

Mr. DOBBINS. Could I have it repeated, because I heard "Ballard" in there?

Mr. TAVENNER. Yes, I would be very glad to.

A witness before this committee identified you as having been a functionary in the Communist Party. If that testimony is correct and not in error, then you should be in a position to give this committee information regarding the activities of the organization of which you were a functionary.

First let me ask you, were you a member of the Communist Party at any time?

Mr. DOBBINS. Now is this 1 question or 2 questions?

Mr. TAVENNER. One question.

Mr. DOBBINS. The last question is the one you are asking?

Mr. TAVENNER. That is the only question.

Mr. DOBBINS. I invoke the fifth amendment. I stand on my rights and refuse to testify against myself.

Mr. TAVENNER. Are you acquainted with Mrs. Barbara Hartle?

Mr. DOBBINS. Same answer.

Mr. JACKSON. For the same reasons?

Mr. DOBBINS. Same reason.

Mr. TAVENNER. Are you now a member of the Communist Party?
(At this point Mr. Hatten conferred with Mr. Dobbins.)

Mr. DOBBINS. Same reasons, and I refuse to testify against myself.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I have no questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. George Russell.

Mr. JACKSON. Will you raise your right hand, sir?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. RUSSELL. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF GEORGE RUSSELL, ACCOMPANIED BY COUNSEL, SARA H. LESSER

Mr. RUSSELL. George Russell, R-u-s-s-e-l-l.

Mr. TAVENNER. Will counsel accompanying the witness please identify herself for the record?

Miss LESSER. Sara H. Lesser of the Seattle bar.

Mr. TAVENNER. Mr. Russell, where do you reside?

Mr. RUSSELL. Seattle.

Mr. TAVENNER. How long have you lived in Seattle?

Mr. RUSSELL. A little over 20 years.

Mr. TAVENNER. Where were you born and raised?

Mr. RUSSELL. I was born in Minnesota.

Mr. TAVENNER. What is your age?

Mr. RUSSELL. I was born in 1894. I am 60 years old.

Mr. TAVENNER. What employment do you have?

Mr. RUSSELL. Would you like for me to answer?

Mr. TAVENNER. Yes.

Mr. RUSSELL. Clearly there has been quite a lot of hysteria here, and there is a lot of fear as evidenced by the letters that our chairman has read. One was from a George F. Russell that was very fearful that his name would be even connected with me. These things always spell fear to a lot of other people.

Now I don't think that I am going to try to contribute to that fear in any way, and I don't know as I can quite calm my own fears for it; so right now I am going to take my rights under the first and fifth amendments to refuse to answer that question.

Mr. TAVENNER. Were you at one time employed by Boeing Aircraft?

Mr. RUSSELL. The answer is the same for the same reason—previous reasons.

Mr. TAVENNER. You have been identified during the course of this hearing as having been a member of the Communist Party at one time. I want to ask you if you will tell this committee what you know about

the activities of the Communist Party in this area, if you have any knowledge of them?

Mr. RUSSELL. Is that a question?

Mr. TAVENNER. Yes.

Mr. RUSSELL. On the same grounds I must refuse to answer.

Mr. TAVENNER. Well, are you now a member of the Communist Party?

Mr. RUSSELL. The same answer for the same reasons.

Mr. TAVENNER. Were you acquainted with Barbara Hartle?

Mr. RUSSELL. The same answer under the same objections—the fifth amendment of the Constitution.

Mr. TAVENNER. Were you a member of the Communist Party at any time while she was engaged as a functionary of the Communist Party in Seattle, which was, I believe, from 1942 until 1950?

Mr. RUSSELL. I am not going to villify anybody, and so I object or I refuse on the same grounds—the fifth amendment.

Mr. TAVENNER. Have you ever been a member of the Communist Party?

Mr. RUSSELL. That answer is the same thing.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. No questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness, Mr. Counsel.

Mr. TAVENNER. Mr. Wayne Paschal.

Mr. JACKSON. Raise your right hand and be sworn, please.

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. PASCHAL. I do.

Mr. JACKSON. Be seated, please.

Mr. PASCHAL. May I request no television?

Mr. JACKSON. Yes, indeed.

The cameras will refrain from photographing the witness during the taking of his testimony.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF WAYNE PASCHAL, ACCOMPANIED BY COUNSEL, SARA H. LESSER

Mr. PASCHAL. Wayne Paschal, P-a-s-c-h-a-l.

Mr. TAVENNER. Will counsel please identify herself for the record?

Miss LESSER. Sara H. Lesser of the Seattle bar.

Mr. TAVENNER. When and where were you born, Mr. Paschal?

Mr. PASCHAL. I was born in Topeka, Kans., United States of America, June 23, 1910.

Mr. TAVENNER. Do you now reside in Seattle?

Mr. PASCHAL. I reside near Issaquah.

Mr. TAVENNER. How long have you resided there?

Mr. PASCHAL. Mr. Chairman, with all due respect for the laws of the United States and the Congress of the United States which created

this committee, I must refuse to participate in this hearing and I must refuse to answer this question under my constitutional rights of the fifth amendment, as explained to me by my counsel. And a reading of the opinions of Dean Griswold of the Harvard Law School—

Mr. JACKSON. Do you so decline to answer the question?

Mr. PASCHAL. I do.

Mr. JACKSON. On the grounds of the fifth amendment?

Mr. PASCHAL. That is correct.

Mr. TAVENNER. I suggest, Mr. Chairman, that the witness be directed to answer the question.

Mr. JACKSON. What is the pending question?

Mr. TAVENNER. How long has he resided in the present place of his residence?

Mr. JACKSON. You are directed to answer.

Mr. PASCHAL. I must refuse under the same terms as previously stated.

Mr. TAVENNER. Mr. Paschal, you have been identified by Mrs. Hartle during the course of this hearing as a person who was known to her as a functionary of the Communist Party. If her testimony be correct, you should be able to give this committee information regarding the functioning of the party.

Let me ask you if you have any knowledge of Communist Party activities in this area?

Mr. PASCHAL. Mr. Chairman, I am fully aware of the inferences which people are drawing from the answers that subpoenaed witnesses at this hearing are giving. However, upon due reading of the opinions of Dean Griswold of the Harvard Law School, as I have stated, and the legal opinion that was given by my counsel here in prior conferences with her, I must respectfully decline to answer any questions under the terms of the fifth amendment.

Mr. JACKSON. And do you so decline to answer the pending question?

Mr. PASCHAL. I do so decline.

Mr. TAVENNER. Were you at any time a functionary of the Communist Party?

Mr. PASCHAL. Same answer for the same reason.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. PASCHAL. The same answer for the same reason.

Mr. TAVENNER. Have you at any time been a member of the Communist Party?

Mr. PASCHAL. The same answer for the same reason.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle.

Mr. DOYLE. I have no questions.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. Harry Crumbaker.

Mr. JACKSON. Raise your right hand, sir.

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CRUMBAKER. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF HARRY CRUMBAKER

Mr. CRUMBAKER. Harry Crumbaker, C-r-u-m-b-a-k-e-r.

Mr. TAVENNER. It is noted that you do not have counsel accompanying you. It is a practice of the committee to advise witnesses that they have the right to consult counsel at any time during their interrogation.

Mr. CRUMBAKER. If you please, sir, I do not wish any counsel, and I wish to answer all questions on my own. I also wish to make a statement when the time comes.

Mr. TAVENNER. I believe you placed a telephone call to the committee staff last night, did you not?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. In which you indicated your desire to appear before the committee and to make a statement with regard to information which the committee had received regarding alleged former Communist Party membership on your part?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. And you were advised by the staff, were you not, to come here today and you would be given a subpoena after arriving here so that you could make whatever statement you desire?

Mr. CRUMBAKER. Sir, I wish to state that I have not been subpoenaed and I do not wish to be subpoenaed—that I am appearing here willingly and I wish to appear here willingly.

Mr. JACKSON. That will be noted in the record.

Mr. TAVENNER. When and where were you born, sir?

Mr. CRUMBAKER. Colfax, Wash., sir, October 14, 1907.

Mr. TAVENNER. Where do you now reside?

Mr. CRUMBAKER. I live in Spokane, Wash.

Mr. TAVENNER. How long have you lived in Spokane?

Mr. CRUMBAKER. I have lived there, sir, off and on since 1936.

Mr. TAVENNER. What is your occupation?

Mr. CRUMBAKER. My payroll title is supervisor of tools; my working title is industrial relations representative of the employment security department, State of Washington.

Mr. TAVENNER. How long have you been so employed?

Mr. CRUMBAKER. I went to work on November 16, 1945, sir, and have been employed ever since.

Mr. TAVENNER. Prior to that time what was the nature of your employment?

Mr. CRUMBAKER. Before that time I was in the Army, sir, for 26 months.

Mr. TAVENNER. And prior to that how were you employed?

Mr. CRUMBAKER. Prior to 1943 I worked for the Milwaukee Railroad at St. Maries, Idaho, although I maintained my legal residence in Spokane.

Mr. TAVENNER. Are you acquainted with a person by the name of Leonard Basil Wildman?

Mr. CRUMBAKER. I know Leonard Wildman; yes, sir.

Mr. TAVENNER. How long have you known him?

Mr. CRUMBAKER. I believe, sir, the first time I ever met Leonard Wildman was about 1937 or 1938.

Mr. TAVENNER. Mr. Wildman, in testimony before this committee on May 28, 1954, stated that he remembered you as a member of the Communist Party, and during the course of her testimony here Mrs. Hartle told this committee that she knew you well, that she had attended many Communist Party meetings with you, and she identified you as a member of the Communist Party.

Now that is information which has been given to the committee, and I wanted you to be fully aware of it in whatever answer you desire to make regarding the questions which will now be asked of you.

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. First let me say, were you acquainted with Mrs. Hartle—Barbara Hartle?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. For how long a period of time did you know her?

Mr. CRUMBAKER. I would say from about the middle of 1936, sir, or maybe a little bit later than 1936, and I believe the last time I saw Mrs. Hartle was sometime in 1939 or 1940. I am not too sure of the exact date, sir.

Mr. TAVENNER. What business was she engaged in during that period of time?

Mr. CRUMBAKER. During that period of time I understood that she was a district representative or district organizer of the Communist Party.

Mr. TAVENNER. She was well known as a Communist Party functionary; wasn't she?

Mr. CRUMBAKER. Yes, sir. Yes, sir.

Mr. TAVENNER. Was Mr. Wildman a functionary of any type?

Mr. CRUMBAKER. I believe he was, sir. At least, he identified to me that he was a member of the Communist Party.

Mr. TAVENNER. Did you at any time sit in a Communist Party meeting or meetings with Mrs. Hartle?

Mr. CRUMBAKER. I did.

Mr. TAVENNER. Over how long a period of time?

Mr. CRUMBAKER. From time to time, sir. I wouldn't be able to give you an exact answer. I would say from late 1936, possibly, and up to and including somewhere in 1937 or the early part of 1938—somewhere in there, sir.

Mr. TAVENNER. Where were these Communist Party meetings held?

Mr. CRUMBAKER. Usually at the home of Mrs. Hartle.

Mr. TAVENNER. In Spokane?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. What was the purpose of the meetings?

Mr. CRUMBAKER. The purposes of the meetings, sir, as far as I know—

Mr. TAVENNER. Well, that may not be quite a proper question to ask you as to the purpose.

Let me ask you, What was done at the meetings?

Mr. CRUMBAKER. The meetings that I attended and know about, sir, at the home of Mrs. Barbara Hartle, were usually meetings to give out literature about the Communist Party, to discuss the Communist Party so far as its activities with organizations with which I was working with them.

Mr. TAVENNER. I am not sure that I understand the relationship of other organizations that you were working with. Will you explain that?

Mr. CRUMBAKER. I wish to identify the meetings that I attended, sir, as not only being what is known as Communist meetings, as such, but there were many of the meetings I attended at the home of Mrs. Hartle that were meetings called under the name of either the Washington Commonwealth Federation or the Workers' Alliance. Now once upon a time, I believe they even called it the white-collar section of the Workers' Alliance.

Mr. TAVENNER. In other words, it took on rather the character of fraction meetings?

Mr. CRUMBAKER. I would say so; yes, sir.

Mr. TAVENNER. Fraction meetings, which meant meetings of the members of the Workers' Alliance, for instance, who were members of the Communist Party?

Mr. CRUMBAKER. That was the way it was explained to me, sir, at a later date. I did not know about it at first.

Mr. TAVENNER. What connection did you have at that time with the Workers' Alliance?

Mr. CRUMBAKER. Sir, I was a member of the Workers' Alliance, and became a member of that organization—I am not exactly sure of the date—but I believe sometime in 1937.

Mr. TAVENNER. Due to the very question of time, during these hearings we have not been able to ask Mrs. Hartle about the Workers' Alliance and its activities, so it may be that you can, very briefly, give us information that we desire regarding the aims and purposes of the Communist Party fraction within the Workers' Alliance.

Mr. CRUMBAKER. Sir, if I may, I might explain very shortly what the Workers' Alliance was and then explain to you how I understood the fractions of the Communist Party within the Workers' Alliance worked.

Mr. TAVENNER. Yes.

Mr. CRUMBAKER. First of all, I want to say that I am giving this observation, sir, from the viewpoint of Spokane, Wash.

Mr. TAVENNER. Yes.

Mr. CRUMBAKER. And when I first was employed in Spokane in 1936, which was a job with the Works Progress Administration, in that year I was approached by various people to join an organization which at that time was known as the white-collar section of the hodcarriers. I didn't know such a thing existed.

Mr. TAVENNER. I believe that is new to me.

Mr. CRUMBAKER. That is right, sir. It was the white-collar section of the hodcarriers, and that was taken over into the Workers' Alliance, I believe in 1937 and was called local 66. That is when I became acquainted with the purposes of the Workers' Alliance, in general.

Very shortly, if I may, sir, the Workers' Alliance was organized to bring forth legislation, should I say, in both the national Congress and in the State legislatures and in the local communities to help get funds, WPA projects, work projects for the unemployed—in other words, the chief objective that I knew it as was an organization of unemployed people or WPA workers who were working for supposedly their own benefit.

Mr. TAVENNER. And also for the extension of relief awards?

Mr. CRUMBAKER. I believe that is right, sir.

Mr. TAVENNER. Now to what extent did the Communist Party utilize its opportunity to direct and control and influence the activities of the Workers' Alliance?

Mr. CRUMBAKER. Sir, I will have to answer that in this way: That at the time that I became a member of the Workers' Alliance, I was a political novice; I mean I was a student from college who had suddenly to leave college to support my mother and family and, not knowing all of the political implications of the day, the only thing I knew about politics then, sir, was about radio speaker Stevenson, who was running for governor, and he was identified, sir, with the Democrat Party, and I in 1936 supported radio speaker John C. Stevenson for governor. And I became acquainted with members of the Communist Party, sir, late in 1936, because they identified themselves and said that they were Communists and they wanted me to become a member, as a member of the Workers' Alliance.

Mr. TAVENNER. How long did you continue attending the fraction meetings of the Workers' Alliance; that is, the Communist Party fraction meetings made up of members of the Workers' Alliance?

Mr. CRUMBAKER. I am not too certain, sir, about the length of time, because as the years went by I became more and more suspicious of their intent to dominate the Workers' Alliance and I therefore slowly but surely skipped meetings and made it a point not to be there, to withdraw from any recognition or affiliation to or cooperation with the Communist Party's fraction meetings, as such.

Mr. TAVENNER. I understood you to say that you attended Communist Party meetings in Mrs. Hartle's home from 1936 to 1939.

Mr. CRUMBAKER. That is right, sir.

Mr. TAVENNER. A period of two years?

Mr. CRUMBAKER. That is right, sir.

Mr. TAVENNER. Were you with the Workers' Alliance during that entire period?

Mr. CRUMBAKER. Yes, sir. I am not exactly sure of the date, sir, in the beginning. I believe the hodcarriers' white-collar section was in there in 1936, and I am not sure whether the Workers' Alliance started in late 1936 or early 1937. I am not sure of that. That is as close as I can guess it.

Mr. TAVENNER. What were the circumstances under which you stopped attending the meetings in 1939 after having attended them for 2 years?

Mr. CRUMBAKER. Sir, during this entire period I was identified as a Democrat and I was active in Democratic circles, and I was a person who carried information to the Democratic circles as to the activities of the Workers' Alliance and of the Communist fraction, and that was my main purpose in attending the fraction meetings, sir.

Mr. TAVENNER. You don't mean to leave the impression, do you, that you took part in Communist Party meetings just to obtain information for some other organization?

Mr. CRUMBAKER. No, sir. I don't leave that impression. I want to merely state that I did carry the information to the Democratic Party as a good American.

Mr. TAVENNER. Did you at any time serve in any office within the fraction or within these Communist Party groups?

Mr. CRUMBAKER. No, sir. I was not a member of that fraction, sir.

Mr. TAVENNER. You were not a member of the fraction?

Mr. CRUMBAKER. No, sir.

Mr. TAVENNER. But you attended its meetings?

Mr. CRUMBAKER. Sometimes, yes, sir—quite frequently.

Mr. TAVENNER. Where were those meetings held—on the fraction of the Workers' Alliance?

Mr. CRUMBAKER. They were often held in Mrs. Hartle's home and sometimes in the Workers' Alliance Hall on Division Street in Spokane.

Mr. TAVENNER. What was the nature of the other Communist Party meetings which you attended?

Mr. CRUMBAKER. Once in a great while I was told about some major functionary of the Communist Party who was going to be in Spokane at the time, and I was invited to attend these meetings, not as a member of the Communist Party but rather as an individual who they thought was a prospect for the Communist Party.

And, sir, I wish to state at this time that during all of the period I am discussing, from 1936 up through 1939, I was considered a prospect for the Communist Party. I was considered by some people as being a Communist Party member, but I was not at any time during that period an actual dues-paying, card-bearing member, as such.

But I will have to qualify my statement as to denial in membership of the Communist Party on the basis that I was considered a Communist and yet I was not.

Mr. TAVENNER. Now you attended its meetings for a period of 2 years; you attended the fraction meetings of the Workers' Alliance. You took part in the meetings for this 2-year period by accepting the Communist Party literature?

Mr. CRUMBAKER. Yes, sir, that is right. I at least took the literature, yes, sir.

Mr. TAVENNER. You performed all the functions of a rank-and-file member of the Communist Party?

Mr. CRUMBAKER. No, sir.

Mr. TAVENNER. Other than payment of dues?

Mr. CRUMBAKER. No, sir.

Mr. TAVENNER. What function of the Communist Party members did you not perform?

Mr. CRUMBAKER. My interest there, sir, was to become acquainted with the objectives of the Communist Party; and, even though some people there thought I was a Commie, I was not; I was not a dues-paying member.

Mr. TAVENNER. You appear to be a very intelligent person; you have proved it by your advancement in various governmental positions. It didn't take you 2 years, did it, to find out what was going on?

Mr. CRUMBAKER. That is right. I mean, as far as finding out, I would say this: it was a constant infiltration, sir, and changing of policies and programs; so therefore, I continued my activities with the Workers' Alliance and met with the fractions of the Workers' Alliance who supposedly were Communist members. And some I can identify and some I can't, but I did meet with them, that is right, sir.

Mr. JACKSON. May I ask a question, Counsel?

Mr. TAVENNER. Yes, sir.

Mr. JACKSON. During the period of time that you were in attendance at Communist Party meetings, were you in sympathy with the aims and purposes of the Communist Party?

Mr. CRUMBAKER. I was not in any way, sir, in sympathy with their proposals for support of communism or the Soviet Union, no, sir; but I was in favor of some parts of their program, where it supported the policies and programs of the Workers' Alliance in the Democratic Party. I did not approve them, sir. Don't misunderstand me on that.

Mr. JACKSON. Did you amass considerable knowledge of the operations of the Communist Party?

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. And of the personalities involved in the activities of the Communist Party in this area?

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. Did you take that information to the Federal Bureau of Investigation?

Mr. CRUMBAKER. I was interviewed, sir, by the Federal Bureau of Investigation in 1939, to my best knowledge.

Mr. JACKSON. And you at that time divulged to the Federal Bureau of Investigation all of the information that you had to the effect—

Mr. CRUMBAKER. I answered all the questions put to me, sir, as to my beliefs, and so on and so forth, and that is all.

Mr. JACKSON. Did you voluntarily go to the Bureau, or were you contacted by an agent of the Bureau?

Mr. CRUMBAKER. No, sir, I did not.

Mr. JACKSON. You did not volunteer?

Mr. CRUMBAKER. You are speaking about 1939, sir?

Mr. JACKSON. Yes.

Mr. CRUMBAKER. In 1939 I was notified by one of the supervisors in the Works Progress Administration that an FBI wanted to interview me in his office, and that was in the office of J. Cales. And that is all I know about any contact with the FBI.

Mr. JACKSON. That was in 1939?

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. What was the period during which you attended meetings of the party?

Mr. CRUMBAKER. From 1936, I would say, sir, up to late 1939. Those are the dates that I remember as closely as possible.

Mr. JACKSON. Did you attend any meetings after you were interviewed by this Government agency?

Mr. CRUMBAKER. I did attend some meetings, sir, that were held by the Workers' Alliance, which known Communists attended and were members of the executive board; but I don't believe, sir, as I understand it, that they were so-called fraction meetings—they were actually executive board meetings of the Workers' Alliance, Local 66.

Mr. JACKSON. Do you know of any other non-Communist who sat in these meetings of the Communist Party at the time that you attended the meetings?

Mr. CRUMBAKER. I can't recall their names at the present time, sir, unless I was shown a roster or something.

Mr. JACKSON. Understand now that I am not asking for the names of Communists but of non-Communists who were in attendance at the meetings.

Mr. CRUMBAKER. I know what you mean.

Mr. JACKSON. Would these meetings be ordinarily considered to be closed meetings of the Communist Party or were they open to whoever might want to attend?

Mr. CRUMBAKER. As far as the executive board, sir, they were closed meetings of the Workers' Alliance, yes, sir.

Mr. JACKSON. To what do you attribute the fact that you, a non-Communist, were permitted to sit in closed meetings of the Communist Party, which is completely in violation of any testimony that this committee has ever heard—that a non-Communist was admitted to a closed meeting of the Communist Party?

Mr. CRUMBAKER. Sir, I think I can explain that. Perhaps you have given it a little different interpretation. The meetings I attended I knew were being attended by fractions of the Communist Party, but many of those meetings, sir, were actually the executive board of the Workers' Alliance, and that is the reason why I was allowed to attend.

Mr. JACKSON. Of all Communists?

Mr. CRUMBAKER. I can't say they were all Communists, no, sir. I would have to have a roster of the executive board, and that was constantly changing from time to time, sir. But I can name some people who were on there.

Mr. JACKSON. Well, in light of the somewhat confused state of the matter, I think it would be very dangerous at this time to name any names, unless counsel wishes to pursue the matter further.

Mr. TAVENNER. No, sir. I think it should be pursued by private conference and, after developing the information and giving the staff an opportunity to make some investigation, then produce that type of testimony.

Now you have indicated a willingness to cooperate with the staff of this committee in every respect, have you not?

Mr. CRUMBAKER. Yes, sir, I wish to cooperate. I wish to answer every question, too, sir.

Mr. TAVENNER. Was there any understanding by which you were not to pay dues and that you were to be a member-at-large of the Communist Party or anything of that character?

Mr. CRUMBAKER. I don't believe, sir, that I was ever considered a member.

I will say this: That I bought literature from the Communist Party, and I freely admit it. I bought Soviet Russia Today; I bought Communist International, I believe it is called, for my own information. I was curious about it.

Mr. TAVENNER. Just like every other member of the party was required to do?

Mr. CRUMBAKER. Not all the time, no, sir.

Mr. TAVENNER. They were requested to do it, weren't they?

Mr. CRUMBAKER. That is right. They were always after selling their literature, and I didn't buy it every time, no, sir.

Mr. TAVENNER. Did you see other Communist Party members paying their dues at the meetings?

Mr. CRUMBAKER. I am not too sure of the dues part of it, sir. I believe that there were times in which some kidding remarks were made about collecting dues—and whether that was a Commie Party meeting or whether it was a Workers' Alliance meeting, sir—but I shrugged my shoulders. I was a little inexperienced in politics, but as the years

went by I grew to know them and know what they were doing and, as the years went by, I withdrew from these so-called meetings.

Mr. TAVENNER. Why did you withdraw?

Mr. CRUMBAKER. Because I was getting thoroughly disgusted with their tactics and with their aims and objectives. I did not believe in them; and I didn't think that they were going in accord with the principles of Americanism or the principles under which we live.

Mr. TAVENNER. When did you finally arrive at that conclusion?

Mr. CRUMBAKER. I would say about 1939 definitely, sir, and for a certainty, as far as making a definite move, in 1940 very definitely.

Mr. TAVENNER. That is possibly as much as 4 years that it took for you to make up your mind.

Mr. CRUMBAKER. That is right, sir; it took me that long.

Mr. TAVENNER. Now during that period of time, were you approached from time to time about becoming a member of the party?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. By whom were you approached?

Mr. CRUMBAKER. The first time, sir, that I can remember or recollect ever being recruited as a member of the Communist Party was a man by the name of Jack Wheeler.

Mr. TAVENNER. Where is he now?

Mr. CRUMBAKER. He is dead, sir. His wife at that time was the woman known as Maybelle Wheeler.

Mr. TAVENNER. Was that at the very beginning of your attendance at these meetings?

Mr. CRUMBAKER. No, sir. No, that was where I worked, sir, and he came to me and asked me why I didn't join the rest of them because everybody else was becoming a member of the Communist Party.

Mr. TAVENNER. That was when you were with the Workers' Alliance?

Mr. CRUMBAKER. That was when, sir, I first started to work. I wasn't even a member of anything at the time. It was an approach made to me to join the Communist Party, which I did not.

Mr. TAVENNER. Was that before you started attending these meetings that you have told us about in 1936?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. How long before that was it that this gentleman asked you to become a member?

Mr. CRUMBAKER. I think the first time I ever was approached was right around June or July, sir.

Mr. TAVENNER. Of what year?

Mr. CRUMBAKER. Of 1936.

Mr. TAVENNER. How soon after that did you begin attending the meetings?

Mr. CRUMBAKER. I was invited to attend meetings maybe 1 or 2 or 3 weeks later, sir, and I did attend.

Mr. TAVENNER. Was Mr. Jack Wheeler there?

Mr. CRUMBAKER. Yes, sir.

Mr. TAVENNER. Did he say anything more to you about paying your dues?

Mr. CRUMBAKER. He said that I was a prospect for the Communist Party and announced me as such and he wanted me to be there to find

out what they were doing and, being a political novice, I didn't know what the score was, so I stayed there.

MR. TAVENNER. Are you really intending to tell this committee that you remained merely a prospect for 4 years?

MR. CRUMBAKER. That is right, sir; I very definitely say that. I was gaining information for my own satisfaction and I was getting a wide political knowledge and, as I went along, I became more thoroughly disgusted with it and finally withdrew from both the Workers' Alliance and the (Washington) Commonwealth Federation.

I must say this, sir: that during this same period of time the Washington Commonwealth Federation became very active and most of my activity was with the Washington Commonwealth Federation, more and more as time went on, which I considered at that time to be a part of the Democratic organization, sir.

MR. TAVENNER. Who was the next person that requested you to sign a card and become a member of the Communist Party?

MR. CRUMBAKER. That is a little hard to answer, sir. I think that this fellow came back 3 or 4 times. I mean I attended a meeting, I asked a lot of questions, and they kept coming at me and saying, "Well, why don't you join?" And I said, "Well, I don't know enough about it." And being more or less of a political novice, I would say that I wanted to find out what they were all about, I heard people saying things about it, and so therefore I would say that I can't say exactly who the next person was. I talked with Mr. Jim Haggin, I talked with his wife Caroline, and Arthur Furnish—those people.

MR. TAVENNER. And they were all persons known to you to be members of the Communist Party?

MR. CRUMBAKER. Not at first, sir.

MR. TAVENNER. Well, at last?

MR. CRUMBAKER. I finally was convinced that they were members of the Communist Party.

MR. TAVENNER. What did you base your conviction upon?

MR. CRUMBAKER. Well, first of all, sir, on the basis that they told me that they were members of the Communist Party and wanted me to become a member, which I refused to do.

MR. TAVENNER. And also their attendance at these meetings?

MR. CRUMBAKER. Not all meetings, sir—some meetings. I mean, I don't want to give you the wrong impression, or the committee, that I attended all meetings. I attended occasional meetings, which I understand might have been and might not have been the executive board of the Workers' Alliance and might have been fraction meetings.

MR. TAVENNER. You told us at the beginning of your testimony that you could well understand from the nature of your attendance at meetings, if I recall it correctly, that others in that group would have a right to believe that you were a member of the Communist Party, is that right?

MR. CRUMBAKER. I believe that other people thought I was, yes, sir—I mean other people who saw me going to these meetings.

And I want to clarify that, sir, in this respect: That I am sure that everybody there knew that I was not a dues-paying member.

MR. TAVENNER. Who was the treasurer of the group of the Communist Party which you attended?

MR. CRUMBAKER. You mean of the so-called fraction or whatever was the Workers' Alliance fraction?

Mr. TAVENNER. We will take that first.

Mr. CRUMBAKER. I don't exactly know. I will have to look at my notes here, sir.

There was a man by the name of Al, a man that lived at the Pettecourt Hotel. I just can't recall his last name right now. But he was an old man, rather stooped, that couldn't do too much work.

Mr. TAVENNER. Was he the person to whom people paid their dues?

Mr. CRUMBAKER. As far as the Workers' Alliance was concerned.

Mr. TAVENNER. I am not talking about dues to the Workers' Alliance; I am talking about Communist Party dues.

Mr. CRUMBAKER. I don't know that, sir. As I understood it, you could pay your dues to anybody that came up to you to collect it and was in a meeting. The only one I ever saw collecting dues, as such, or taking money was Barbara Hartle, and I did see her take money.

Mr. TAVENNER. From Communist Party members?

Mr. CRUMBAKER. Yes, sir; yes, sir.

Mr. TAVENNER. Did you ever give her any money?

Mr. CRUMBAKER. No, sir; only to buy, occasionally, some literature. I believe, sir, that there might have been a time or two in which I gave \$1 or \$2 or \$3 for some kind of a movement that they had on at the time. And might I say, sir, what those were?

Mr. TAVENNER. Yes.

Mr. CRUMBAKER. For instance, they had an aid to the veterans from Spain—I mean that would be a subterfuge in getting money—and of course once in awhile I did contribute to those things.

Mr. TAVENNER. Yes, and you knew, as a matter of fact, that that money went into the coffers of the Communist Party and was used for the propagation of Communist Party literature?

Mr. CRUMBAKER. I highly suspicioned it, sir; yes, sir, I did. I didn't definitely know, because I didn't know where the money went from there, but I highly suspicioned it.

Mr. TAVENNER. Will you tell the committee of all the contributions that you made that you had reason to believe went into the Communist Party?

Mr. CRUMBAKER. I have no basis to know where they went except for the basis for which they were given—that they were asked for. There was a League for Industrial Democracy—I don't know whether you recall that name—contributions; there was help for widows and for orphans—poor people; collections made as to helping somebody ousted from their home, in the Workers' Alliance—things of that sort. That is the kind of contributions I made.

Mr. TAVENNER. Were you ever issued a Communist Party card?

Mr. CRUMBAKER. No, sir.

Mr. TAVENNER. Did you ever register as a Communist?

Mr. CRUMBAKER. No, sir.

Mr. TAVENNER. I believe that is all I desire to ask you at this time.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. When did you become highly suspicious of the purpose for which your money was going, which you said you gave to the Communist Party at these meetings?

Mr. CRUMBAKER. You mean at the time? I would say, sir, in 1937-38—through there. Yes, sir.

Mr. DOYLE. And you stayed in attendance at these Communist Party meetings from 1936 to 1940?

Mr. CRUMBAKER. I did, sir. I mean—I beg pardon, sir? You said 1940. You are misinterpreting me to this extent, sir: that they weren't Communist Party meetings, as such; they were Workers' Alliance, so-called Communist organization fraction meetings sometimes, and sometimes they were Washington Commonwealth Federation, but most of the meetings, sir, that I attended were meetings of the Washington Commonwealth Federation people in the Washington Commonwealth Federation from various groups and from the Workers' Alliance, and I very definitely was able to identify many people from the Communist Party in those groups who told me that they were members. But, sir, I will not say, I cannot say that I was willingly attending fraction meetings, as such, as an interested party; but at these meetings I am speaking of, I was approached many times by the Communist Party for donations.

Mr. DOYLE. Over a period of 4 years?

Mr. CRUMBAKER. Over a long period of time.

Mr. DOYLE. Over a period of 4 years?

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. And you kept on giving for 4 years to these causes of which you have said that you were highly suspicious?

Mr. CRUMBAKER. Very reluctantly, sir.

Mr. DOYLE. No one compelled you to give, did they?

Mr. CRUMBAKER. I don't think so. I was trying to find out what was going on.

Mr. DOYLE. Why did you give money to things highly suspicious?

Mr. CRUMBAKER. I wasn't giving it to a Communist organization; I felt I was giving to whatever cause that was asked.

Mr. DOYLE. It was a Communist meeting, wasn't it?

Mr. CRUMBAKER. Not all of them.

Mr. DOYLE. Some of them?

Mr. CRUMBAKER. Some of them were Communist fraction meetings; and at the time I was invited to go to a Communist fraction meeting, it was usually for some kind of literature. I will say that, definitely.

Mr. DOYLE. Did you graduate from college?

Mr. CRUMBAKER. No, sir. I was in my senior year, sir.

Mr. DOYLE. What was it at the end of about 4 years that you discovered about the Communist Party that you didn't know when you first started to attend these meetings?

Mr. CRUMBAKER. There was a good many things, sir, I didn't know about.

Mr. DOYLE. Give me 2 or 3 of the major things.

Mr. CRUMBAKER. Could I explain myself from 1936 on, sir, chronologically?

Mr. DOYLE. I am asking you a direct question. Give me, say, 2 of the major things that you discovered about the Communist Party that motivated you to no longer attend these Communist Party fraction meetings that you were not aware of when you started 4 years before.

Mr. CRUMBAKER. I will say this, sir: When I first started attending a meeting of the so-called fraction within the Workers' Alliance, they appealed to me on the basis of the Workers' Alliance program and I was not aware of the fact that they were a Communist fraction, but in time I did find out that they were.

Mr. DOYLE. How long after you first began to attend them did you have your eyes opened to the fact that they were Communist dominated and controlled?

Mr. CRUMBAKER. From month to month.

Mr. DOYLE. The first month after you attended?

Mr. CRUMBAKER. I would say I was told that they were in favor of our program, of the Workers' Alliance.

Mr. DOYLE. Told by whom?

Mr. CRUMBAKER. Told by these people.

Mr. DOYLE. By what people?

Mr. CRUMBAKER. Barbara Hartle, John Hartle, Jim Haggin and Art Furnish.

Mr. DOYLE. Were they all leaders of the Communist Party?

Mr. CRUMBAKER. Later on, sir, I identified them as such; yes, sir.

Mr. DOYLE. Well, at the time they told you this, did you know them to be Communist Party leaders?

Mr. CRUMBAKER. Yes, sir, they told me they were.

Mr. DOYLE. Yet you stayed in the group?

Mr. CRUMBAKER. I mean—I didn't stay as a member; no, sir; I was invited to the meetings.

Mr. DOYLE. You took advantage of their meetings and their courtesy and their hospitality—

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. For 4 years, about 4 years?

Mr. CRUMBAKER. Sir, your implication is that I was attending as a member of the Communist fraction; I was not. I was invited to attend these meetings. Some were Workers' Alliance; some of them were so-called fraction meetings, which I discovered in time.

Mr. DOYLE. You say you were invited. Do I understand you to imply that every meeting you attended you received a special invitation to go to?

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. Who from?

Mr. CRUMBAKER. Jim Haggin.

Mr. DOYLE. He invited you to every meeting you attended?

Mr. CRUMBAKER. Most of them, sir.

Mr. DOYLE. Invited you especially every time for 4 years; otherwise you wouldn't have gone. Is that what you are telling me?

Mr. CRUMBAKER. Sir, I attended meetings over a period of 4 years, but the inference, as I understand, sir, was that it was a good number of meetings, and I don't think it was too many.

Mr. DOYLE. One meeting a month?

Mr. CRUMBAKER. No, sir.

Mr. DOYLE. One meeting in 2 months?

Mr. CRUMBAKER. No, sir.

Mr. DOYLE. Three months?

Mr. CRUMBAKER. Maybe 4 months, sir.

Mr. DOYLE. That would be 12 meetings?

Mr. CRUMBAKER. Yes, sir. I will very willingly admit that.

Mr. DOYLE. Were you in the public service at that time?

Mr. CRUMBAKER. I was with the Works Progress Administration; yes, sir.

Mr. DOYLE. You were a public official?

Mr. CRUMBAKER. Well, I was what you would call in research.

Mr. DOYLE. An employee of an important Federal unit?

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. A minute ago, you said, in answer to counsel's question, that they told you—whoever they were you referred to told you about this, what they believed?

Mr. CRUMBAKER. Some of them did, sir.

Mr. DOYLE. Do you mean Mrs. Hartle and those people?

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. When they told you what they believed, what did you do about it?

Mr. CRUMBAKER. I didn't do anything about it, sir.

Mr. DOYLE. What did they tell you they believed? You knew they were Communist leaders.

Mr. CRUMBAKER. They tried to explain to me what their program was, sir, and I wouldn't accept it all.

Mr. DOYLE. When did they begin trying to tell you about their program and what they believed—during the first year?

Mr. CRUMBAKER. Yes, sir—possibly once, and then each year, why, 3 or 4 times.

Mr. DOYLE. That is 4 times in 2 years. How about the third year?

Mr. CRUMBAKER. They told me about the program, yes, sir.

Mr. DOYLE. And the fourth year, they told you?

Mr. CRUMBAKER. They told me a little again, sir.

Mr. DOYLE. And you still stayed in the 4 years after they told you 10 or 12 times?

Mr. CRUMBAKER. Sir, I wasn't a member.

Mr. DOYLE. This is the most unusual case I have heard of in my years on this committee, sir—I am being perfectly frank with you—the most unusual testimony I have ever heard under any similar conditions.

Mr. CRUMBAKER. Sir, could I explain to you my interpretation of this thing?

Mr. DOYLE. Of what thing?

Mr. CRUMBAKER. Of what you are talking about, as to its being most unusual for me to attend.

Mr. DOYLE. Yes.

Mr. CRUMBAKER. I would like to say this: that in 1936, when Mr. Jim Haggin talked to me about membership in the Communist Party, and which I refused to join, he told me kiddingly that there were first-grade- second-grade and third-grade Commies, and he said that I was a third-grade Commie, a person that supposedly cooperated with the appropriations program of the Workers' Alliance and knew that the Commies were supporting it, sir, and I told him that I wasn't in any way or form a member of the Communist Party, that I was a member of the Workers' Alliance and the (Washington) Commonwealth Federation and that any knowledge or any information he gave me was on that basis.

Mr. DOYLE. What did they tell you about the change of our form of government, if anything, during the 4 years?

Mr. CRUMBAKER. That was something that I was unable to ascertain at first, sir, except when I read the literature I could see eventually what the end was.

Mr. DOYLE. You never asked them about that, I assume?

Mr. CRUMBAKER. I think I did; yes, sir.

Mr. DOYLE. You read about it—and whom did you ask about it?

Mr. CRUMBAKER. I asked Barbara Hartle and Jim Haggin.

Mr. DOYLE. What did they tell you?

Mr. CRUMBAKER. They tried to say they were good Americans and were going to do it by democratic principles, and I didn't believe them.

Mr. DOYLE. You didn't believe that the first time they told you, did you?

Mr. CRUMBAKER. No, sir.

Mr. DOYLE. Why didn't you get out of the gang then?

Mr. CRUMBAKER. I wish the heck I had. I am very sorry for anything I done during that period. And I will say this very emphatically to this committee: that everybody today should be very definitely careful about joining any organization until he very definitely finds out if it is Communist or Communist dominated, because I am against—

Mr. DOYLE. You became convinced that they were not good Americans, didn't you?

Mr. CRUMBAKER. That is right.

Mr. DOYLE. What did you do about it when you came to that conclusion?

Mr. CRUMBAKER. I withdrew.

Mr. DOYLE. You concluded that they were dangerous citizens.

Mr. CRUMBAKER. Let me qualify, in answer to that, sir, in this respect: It was popular knowledge at the time, sir—in 1939—that the Communists were infiltrating in various groups, but I, myself, sir, did not consider them a threat because it was such a small minority; but at a later date, when the war came on, when the defense period came, that was the time when they were a definite threat.

Mr. DOYLE. What year was that?

Mr. CRUMBAKER. I would say the defense efforts were really growing in 1940, sir.

Mr. DOYLE. They were a real threat in 1940?

Mr. CRUMBAKER. I am sure of that, sir.

Mr. DOYLE. You knew a group in Spokane that you considered a real threat in 1940?

Mr. CRUMBAKER. Yes, sir.

Mr. DOYLE. What did you do about it?

Mr. CRUMBAKER. I didn't do anything about it, because other people were doing something about it.

Mr. DOYLE. How did you know?

Mr. CRUMBAKER. I observed in the newspapers—by reading about it: what my friends told me; what the Democrats told me.

Mr. DOYLE. This is the last question, sir.

In 1936 or 1937 to 1940 you knew that a group of men and women in your community, in which you were an employee of an important agency of the Federal Government, in 1940, because of the war, became dangerous citizens?

Mr. CRUMBAKER. Yes, sir; I knew that.

Mr. DOYLE. Yet you did nothing about it to help your Government?

Mr. CRUMBAKER. Yes; I did, sir.

Mr. DOYLE. What did you do?

Mr. CRUMBAKER. That is what I wanted to explain.

I was a Democrat, as such.

Mr. DOYLE. Well, you needn't be ashamed of that.

Mr. CRUMBAKER. As I went along, I kept informing the people I knew in the Democratic circles that these people were Communists and that they had a definite threat; and they took that information and they told me to get some more, and I did.

Mr. DOYLE. Whom did you give it to?

Mr. CRUMBAKER. Mr. Pat Dunbar, Democrat central chairman of the Democrat Party in Spokane County. I gave it to Mr. Ed Connolly, who is also a member of the Democrat Central Committee. I met in their offices, sir, and told them about who was Commies. I took Mr. Pat Dunbar down to the Desert Hotel one time and pointed out a Communist official by the name of Mr. Morris Rappaport.

Mr. DOYLE. Was he an official of the Communist Party in Spokane?

Mr. CRUMBAKER. I don't believe so. He was identified as someone—

Mr. DOYLE. Did you ever report Communist activities to others than those men?

Mr. CRUMBAKER. I don't believe so—because they told me everybody knew about it, the FBI knew about it.

Mr. JACKSON. Is there any reason why this witness should not be excused?

Mr. TAVENNER. No, except, Mr. Chairman, we will want to interrogate him further.

Mr. JACKSON. Very well, the witness will be continued under the subpoena of the committee subject to the call of the committee.

Mr. CRUMBAKER. Mr. Chairman, may I make a very short statement?

Mr. JACKSON. Yes.

Mr. CRUMBAKER. I want to be on record, sir, that I think this committee is doing a very fine job, and I am very sorry that a loose bandying of names, as to evidence presented here, indicated that I was a member of the Communist Party. In fact, I was not a member of the Communist Party. And I believe, sir, the newspapers said that I was a district organizer of the Communist Party. I was not a district organizer of the Communist Party; I was a district organizer of the Washington Commonwealth Federation, which at that time I did not think was subversive.

That is my position: That I belonged to organizations which at the time were not declared subversive but at a later date they were so declared and I became evident of it, sir, and I withdrew from it, and I felt I was a better American by withdrawing from it.

Mr. JACKSON. Isn't it true that the things that were to draw those activities to the attention of the Federal Government were in fact taking place during the period of your membership?

Mr. CRUMBAKER. My membership in what?

Mr. JACKSON. The organizations to which you have reference. You said after they were cited you got out.

Mr. CRUMBAKER. I said in 1940 I got out of them—long before they were cited. In fact, I believe, sir, that as far as I have been able to ascertain it was not until 1950 that these organizations were declared subversive on the Secretary of State's list.

Mr. JACKSON. I would say as far as the bandying of names around, it would certainly seem to me that Mrs. Hartle had evident reason to believe that you were a member of the Communist Party. Seeing you in closed meetings of the Communist Party, I think would obviously lead one to that conclusion, whether rightfully or wrongfully. I am

not passing on the merits of the claim at all, but I would certainly feel that that identification was made in all good faith.

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. In believing you to be a member.

Mr. CRUMBAKER. Mr. Jackson, if I may, sir, I wish to state that at no time during this period of time did I determine myself as an individual that at the time was doing anything un-American or subversive. But I did become aware of the fact that the organizations were becoming subversive; that was the reason why I withdrew.

I want to also state, sir, that we signed a non-Commie affidavit in our Department, and I signed that without reservation because I knew in my own heart and conscience that I would never belong to a subversive organization.

Mr. JACKSON. Let me ask you this: Do you deny categorically that you were ever a member of the Communist Party?

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. Do you deny categorically that you ever paid dues as such?

Mr. CRUMBAKER. Yes, sir.

Mr. JACKSON. Did you ever pay dues to the Young Communist League or to the Communist Political Association at any time?

Mr. CRUMBAKER. I deny that.*

Mr. JACKSON. And you were never a member of the Socialist Workers Party?

Mr. CRUMBAKER. No, sir.

Mr. JACKSON. Subject to being continued under the subpoena, you are excused.

(Witness excused.)

Mr. JACKSON. At this time the committee will stand in recess until 3:50.

(Whereupon, at 3:40 p. m., the hearing was recessed, to reconvene at 3:50 p. m.)

(Whereupon, at 3:50 p. m., the hearing was reconvened.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Mr. John Caughlan.

TESTIMONY OF JOHN CAUGHLAN, ACCOMPANIED BY COUNSEL, ALFRED J. SCHWEPPE AND PHILIP BURTON

Mr. JACKSON. Will you raise your right hand and be sworn, sir?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. CAUGHLAN. I do.

Mr. TAVENNER. You are Mr. John Caughlan?

Mr. CAUGHLAN. That is correct.

Mr. TAVENNER. Will counsel accompanying the witness please identify themselves for the record?

Mr. SCHWEPPE. I am Alfred J. Schweppe of the Seattle bar, appearing here by request and assignment by the president of the Seattle Bar Association, who is concerned that Mr. Caughlan should have appropriate defense.

In that respect, I would like, with the permission of the committee, to make a very brief statement, which I think the committee would like to hear.

Mr. JACKSON. Mr. Schweppe, would it be just as convenient for you if we waited until after the witness has given his testimony?

Mr. SCHWEPPE. I would prefer to state it now, if I may.

Mr. JACKSON. Very well. The witness will be excused from the chair during the time that the statement is being made in line with the rules of the committee.

(Witness temporarily excused.)

Mr. JACKSON. Mr. Schweppe.

STATEMENT OF ALFRED J. SCHWEPPE

Mr. SCHWEPPE. This committee needs no suggestion of the importance of persons appearing before this committee, or in any official public proceeding, having the need and desire of counsel.

I was delighted the other day when I read in the paper that when a witness appeared who did not have counsel, the committee called on the Seattle Bar Association to furnish counsel, and that association has undertaken to furnish counsel in conformity with the oath that every lawyer takes in the State of Washington, one portion of which reads—

I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed—

I have here that oath, which every member of the Washington State Bar swears to when he becomes admitted to the bar. This oath—the Washington form—incidentally has been recommended to the bar of the United States by the American Bar Association and appears at the end of the canons of ethics.

I would like to direct attention to one other point in this oath of the Washington State Bar, because it falls within the province of this committee. Paragraph 2 of this oath reads as follows:

I will support the Constitution of the United States and the constitution of the State of Washington; I am not now and never have been a member of any organization or party having for its purpose and object the overthrow of the United States Government by force or violence.

This is the first State having any court rule putting that provision in its oath. It got into the oath several years ago through the activities of the committee of which Mr. Tracey Griffin, with whom I think the committee is acquainted, was a member.

I would like to say further with reference to the appearance of counsel and the misunderstanding that some members of the public sometimes have—and it is important in this case because I am associated here with a young man, Mr. Philip Burton, who is offering his services at the request and direction of the American Civil Liberties Union, who has informed me that he has already suffered criticism and prejudice by reason of his agreeing to appear—to act under those circumstances as counsel to Mr. Caughlan.

Therefore, I would like to put into the record—I won't read it—both the Oath of Attorney and the resolution of the American Bar Association adopted at Boston last fall. I am a member of the house

of delegates and had the privilege of voting for that resolution, which reads as follows:

Resolved,

1. That the American Bar Association reaffirms the principles that the right of defendants to the benefit of assistance of counsel and the duty of the bar to provide such aid even to the most unpopular defendants involves public acceptance of the correlative right of a lawyer to represent and defend, in accordance with the standards of the legal profession, any client without being penalized by having imputed to him his client's reputation, views, or character.

2. That the association will support any lawyer against criticism or attack in connection with such representation, when, in its judgment he has behaved in accordance with the standards of the bar.

3. That the association will continue to educate the profession and the public on the rights and duties of a lawyer in representing any client, regardless of the unpopularity of either the client or his cause.

4. That the association request all State and local associations to cooperate fully in implementing these declarations of principles.

And may I say, Mr. Chairman and members of the committee, that the Seattle Bar Association, shortly after this resolution was adopted adopted a similar resolution and insists upon living up to those principles.

Those members of the public who seem to misunderstand why lawyers appear in certain causes need only to ask themselves that one question: "Suppose I were in trouble and I was told that no member of the bar would defend me according to the law of the land?" Anybody who asks himself that question will understand that lawyers must defend people as a matter of obligation and as a duty to their profession regardless of what the character of the proceeding is in which the client happens to be involved.

I wish to state further that I am associated here, as I said before, with this young man, Mr. Philip Burton, who is appearing here, he informs me, as a representative of the American Civil Liberties Union, which also desires to extend counsel to Mr. Caughlan.

(The Oath of Attorney, which Mr. Schweppe requested be placed in the record, follows:)

OATH OF ATTORNEY

STATE OF WASHINGTON,

County of _____, ss:

I, _____ do solemnly swear—

1. I am a citizen of the United States, and owe my allegiance thereto.

2. I will support the Constitution of the United States and the constitution of the State of Washington; I am not now and never have been a member of any organization or party having for its purpose and object the overthrow of the United States Government by force or violence;

3. I will abide by the Canons of Professional Ethics approved by the Supreme Court of the State of Washington;

4. I will maintain the respect due to the court of justice and judicial officers;

5. I will not counsel or maintain any suit or proceeding which shall appear to me to be unjust, or any defense except such as I believe to be honestly debatable under the law of the land, unless it be in defense of a person charged with a public offense; I will employ for the purpose of maintaining the causes confided to me such means only as are consistent with truth and honor, and will never seek to mislead the judge or jury by any artifice or false statement of fact or law;

6. I will maintain the confidence and preserve inviolate the secrets of my client, and will accept no compensation in connection with his business except from him or with his knowledge and approval;

7. I will abstain from all offensive personality, and advance no fact prejudicial to the honor or reputation of a party or witness unless required by the justice of the cause with which I am charged;

8. I will never reject from any consideration personal to myself, the cause with which I am charged;

9. I will never reject, from any consideration personal to myself, the cause of the defenseless or oppressed, or delay any man's cause for lucre or malice. So help me God.

Subscribed and sworn to before me this — day of ———— 19——.
—————, Judge.

Mr. JACKSON. Thank you very much for your statement, Mr. Schweppe.

First of all, I should like to say that the committee was very happy when the president of the Seattle Bar Association appeared before the committee on the day before yesterday, I believe, representing a witness who stated before the committee that he did not have funds.

The committee welcomes you here today in your capacity as legal counsel. On many occasions, and I am sure on the occasion of every hearing which this committee has held anywhere, we have attempted to make it very clear that the committee does not look past the representation into the motives of any attorney who appears before us. It is explicit in the rules of the committee that we will not attempt to explore the confidential relationship between counsel and client, and questions are avoided which might give the impression that that confidential relationship was in any way being violated.

Certainly the committee feels that the Seattle Bar Association resolution which has just been introduced into the record is in the best tradition of American jurisprudence and we are very happy to have it in there.

Once again, on behalf of the committee, I welcome you as a distinguished member of the Seattle Bar.

Mr. Doyle, do you care to say anything?

Mr. DOYLE. As long as you have called on me for a word, Mr. Chairman, I will join in the remarks of my subcommittee chairman.

As past president of my own local bar association in California, as past vice president of the State Bar of California Delegates and as a member at present, and having been a member of the California legislative committee of the State bar for several years, I compliment the Seattle Bar Association on what they have done in representing these witnesses, and I also wish to compliment the young man from the American Civil Liberties Union for coming on the same basis as counsel.

I think perhaps, Mr. Chairman, it is appropriate for me to make this observation—and I am sure that I am not mistaken, although I don't have the book of the American Bar Association with me on my desk here today.

I think the very committee that you referred to, Mr. Schweppe, of which Mr. Griffin was a distinguished member, recommended to the American Bar Association that any lawyer who is a member of the Communist Party be disbarred, and I am sure that the record so speaks by a resolution in which Mr. Griffin joined in 1951.

Mr. JACKSON. I would add only, with reference to the bar association resolutions, that the activities of this committee were officially endorsed by the house of delegates of the American Bar Association, a matter in which we who serve upon the committee take considerable pride.

**TESTIMONY OF JOHN CAUGHLAN, ACCOMPANIED BY HIS COUNSEL,
ALFRED J. SCHWEPPE AND PHILIP BURTON—(Resumed)**

Mr. CAUGHLAN. Now, sir, may I make a statement in regard to counsel that is representing me?

Mr. JACKSON. Yes.

Mr. CAUGHLAN. I want to state, with the consent of counsel, first of all to express my gratitude to the bar association and the American Civil Liberties Union for the action which they have taken; secondly, to state that counsel representing me here is not only counsel who has been appointed by the Seattle Bar and the American Civil Liberties Union but likewise is counsel fully of my own choice; and, thirdly, that I consider both of my counsel distinguished gentlemen.

Mr. JACKSON. Thank you.

Mr. CAUGHLAN. Now may I state a legal objection, sir, to any further questions being asked me?

Mr. JACKSON. Yes, you may state it.

Mr. CAUGHLAN. I want to state as an objection to further questions being asked me that the Constitution provides for the separation of powers of the Government into judicial, legislative, and executive. When President Truman was summoned by Mr. Velde to appear before this committee, he raised as an objection for appearing and based his refusal to appear before the committee the ground that he was a past Chief Executive and this was an invasion of the executive power of the Government.

I wish to state that my being subpoenaed here in the midst of my representation as counsel, as an officer of the judicial branch of Government, both of the United States courts and of the courts of the State of Washington, as an officer of the court, was and is an invasion of the judicial power of Government.

I might state, sir, that since my being subpoenaed, my office phone has been practically out of business. The bar association, I am informed, was flooded by calls. Some of the calls to my office were of an anonymous character of a profane and vicious kind. The bar association was flooded and even distinguished counsel and their homes have not been free from such anonymous calls. This committee, sir, has stirred up the deepest bigotry, intolerance, and hatred in this community—

Mr. DOYLE. Mr. Chairman, I recognize the witness as a member of the bar. Nevertheless, I see no reason why we should go extremely beyond the time or the methods that we have been required to use for other witnesses, and I submit that this charge that the committee has caused bigotry, and so forth, is not a legal reason for him not to answer questions. Therefore I call for order.

Mr. JACKSON. I think the point has been raised as to the jurisdiction of the committee, and the Chair would like to correct one statement—that in the midst of your representation you were called as a witness. It is my understanding from our own distinguished counsel and from our investigators that you had completed your representation of your clients.

Mr. CAUGHLAN. That is correct, sir, although I had to put up a little bit of a fight for it—and those who noticed what happened the day before yesterday will recall.

Mr. JACKSON. As soon as it was brought to the attention of the committee that you had additional clients, it was very quickly decided that you should not in any case be called.

As far as the separation of the powers are concerned, it is quite true that the legislative and the judicial and the executive branches constitutionally are separated. However, in the charge laid upon this committee under the provisions of Public Law 601, there is no immunity or exemption granted to any citizen by virtue of his occupation or his calling. In the Los Angeles area, for instance, the committee discovered branches of the Communist Party comprised entirely of attorneys. Those attorneys were duly subpoenaed to appear and give testimony as would have been any other citizen regardless of his occupation.

In light of that fact, unless there is objection from Mr. Doyle, the committee will continue its usual procedure of questioning.

MR. CAUGHLAN. I haven't quite completed my legal reason, sir. I just wanted to state that, based upon the reason that the issuance of the subpoena to me represents, I believe, an invasion of my function here as an officer of the court discharging to the best of his ability the function which he has sworn by the oath which has already been mentioned here, and the duty which he owes of zealous and warm devotion to the cause of his client, that there has definitely been an invasion; that therefore this committee, in recognition of that fact and, if I may say so, sir, in recognition of the general situation which exists that I mentioned when Mr. Doyle interrupted me, I believe that the subpoena should be withdrawn and that I should be excused from further testifying.

(At this point Mr. Jackson conferred with Mr. Doyle.)

MR. JACKSON. I have conferred with Mr. Doyle, and it is the unanimous opinion of both members of the subcommittee that the objection contrary notwithstanding, the hearing will continue.

You may proceed, Mr. Counsel.

MR. TAVENNER. When and where were you born, Mr. Caughlan?

MR. CAUGHLAN. I was born in Nevada, Mo., August 25, 1909.

MR. TAVENNER. Are you a resident of the city of Seattle?

MR. CAUGHLAN. Yes, sir.

MR. TAVENNER. How long have you resided here?

MR. CAUGHLAN. I don't recall exactly. It has been a long time. I went to high school here and college. I was East attending Harvard Law School and Yale for a short time, and I have resided here ever since. It has been a long time.

MR. TAVENNER. How long have you been a practicing attorney?

MR. CAUGHLAN. Let me see. I think I graduated from law school in 1935—probably 1936.

MR. TAVENNER. Mr. Caughlan, the committee has information indicating that you may have special information relating to activities of the Communist Party within the area of Seattle. The information that the committee has is that which you probably heard during the course of these hearings when Mrs. Barbara Hartle testified, which I shall not repeat; and, in addition to that, the committee has received the testimony of Elizabeth Boggs Cohen, who testified before this committee in Los Angeles, Calif., on May 28, 1954, and during the course of her testimony she told the committee that she, herself, had become a member of the Communist Party in Seattle in 1936 and had continued her membership until 1943, approximately, at which time she withdrew from the Communist Party. She advised the committee that for a period of about 2 years during her membership, namely,

between 1936 and 1938, she was chairman of the King County membership committee of the Communist Party in Seattle. She was asked to describe activities of the Communist Party and also to advise the committee of those with whom she came in contact as Communist Party members. She testified, for instance, as to the visit to this community of high functionaries of the Communist Party from New York; she testified that she had met with members of the district committee of the Communist Party; she testified as to trade-union members with whom she came in contact within the Communist Party. She also told the committee of other members, of other persons she met as Communists, and among them was John Caughlan, attorney.

Now if the information which the committee has received through the witness who has been testifying here this week, Mrs. Barbara Hartle, and through Mrs. Elizabeth Boggs Cohen is correct, you are in a position indeed to give this committee factual information.

(At this point Mr. Caughlan conferred with Messrs. Schweppe and Burton.)

Mr. TAVENNER. Now that is the basis for my questions.

I now want to ask you whether or not you have been a member of the Communist Party in Seattle?

Mr. CAUGHLAN. That is your question?

Mr. TAVENNER. Yes.

Mr. CAUGHLAN. May I confer with counsel for just a moment?

(At this point Mr. Caughlan conferred with Messrs. Schweppe and Burton.)

Mr. CAUGHLAN. Sir, I want to answer your question by first stating my legal objections to the question, ask you to rule upon those, and then I will take whatever action may be deemed appropriate.

May I have the privilege of doing that, sir?

Mr. TAVENNER. Mr. Chairman, it has been the practice of this committee, as long as I have known anything about it, not to honor objections made to questions that are propounded but to require the witness to answer or to refuse to answer and, in either course, give him an opportunity to explain his testimony. An objection before either of those alternatives, it is my suggestion, is out of place.

Mr. CAUGHLAN. Then may I have the opportunity to state my legal objections to that question, upon advising you as to my answer?

Mr. JACKSON. No. It seems to me, unless Mr. Doyle objects, that we are following what has been the standard practice of the committee for many years.

Mr. CAUGHLAN. I will answer and give you my reasons therefor.

Mr. JACKSON. That is the standard procedure; and, if you will be good enough to follow that, I am sure that the committee will be happy to hear your reasons for so answering.

Mr. CAUGHLAN. Thank you. I will express my reasons for my answer.

My answer to that question is that I decline to answer upon the following reasons, which I wish now to state. I wish to state first that under the fifth amendment to the Constitution of the United States, in being asked that question, I am being denied due process of law.

The fifth amendment provides that "No person shall be deprived of life, liberty, or property without due process of law."

Now my principal property—that which I value most—is my good name and reputation in this community; it is my chief asset. "Good

name in man or woman is the immediate jewel of the soul," said Shakespeare. I could go on and complete the quotation—but let it be said that "He who filches from me my good name robs me of that which not enricheth him and leaves me poor indeed."

Now that is the property right of which I am being deprived in the following manner: Before this committee, in closed session and in open session, persons come and make statements or charges about others—in this case about me. This constitutes a deprivation of property by defamation; or, to use a legal term, Mr. Mitchell Franklin of Tulane Law School, in a recent article, says, "This is the process of punishment by infamy."

I have been infamed or defamed before this committee.

Now it is not a person's right to have a good name, if they do not deserve that good name, and there are judicial processes for depriving a person of his good name. Those judicial processes are well recognized and they are set forth, sir, in the sixth amendment to the Constitution, which I now wish briefly to refer to—paraphrasing it.

"In all hearings," to paraphrase, "where one's good name is sought to be deprived of one, the accused shall enjoy the right to a speedy and public hearing by an impartial trier of the fact."

Gentlemen, I think it needs no comment to say that I am not before an impartial body at this time.

MR. JACKSON. May I say, sir, that you are proceeding to lecture a congressional investigating committee upon points of law which might be well placed in a courtroom but certainly are not pertinent to this committee and the powers under which it operates? Those powers are expressly delegated to the committee, and we at every opportunity state over and over again that this is not a court of law.

No charge has been made against you by this committee. We are attempting only to seek out information from you which you may or may not have in your possession. If you do not have it, that is one thing; if you do have it, you may not wish to discuss it. But certainly this is not in any way a forum of law.

(At this point Messrs. Schweppe and Burton conferred with Mr. Caughlan.)

MR. JACKSON. This is an investigating committee, charged with very definite and specific responsibilities under the law which organized it and put it in motion; and so I do not see that these points of law, as interesting as they may be, relate to the functions of a congressional committee.

MR. CAUGHLAN. Sir, I will complete the statement that I made in that regard, because I feel that my reasons should appear upon the record of this committee.

MR. JACKSON. Certainly there is no desire on the part of the committee to limit your reasons.

MR. CAUGHLAN. When one is deprived of one's good name—and certainly I think there can be no disagreement that there has been defamation before this committee as far as I am concerned—one should enjoy those rights guaranteed in the sixth amendment of cross-examination to expose the character of the accusation, the right to be heard before an impartial tribunal, and the other rights which one is guaranteed before one's property is taken away from him or should be taken away from him.

It is for that reason that I say the asking of that question to me—under the circumstances that exist before this committee—the asking of that question to me is to deprive me of my property, and my life, or at least all that makes life worth living, without any part of that due process of law that one comes to associate with judicial proceedings.

To complete the reasons that I stated here, this property right is the right of representation of persons which I, as a lawyer, and duty-bound have this charge, but which depends upon my good name and reputation. Moreover, my clients have the right to expect of me, as an attorney, that the confidences which they have reposed in me will be respected and that I will not be taken before some committee and compelled to testify concerning the confidences of clients.

The bringing me before this committee under the circumstances that here exist puts my clients in fear—I might add needless fear—in fear that they will be deprived of the right of the confidence which they have in me.

Now I want to say that I rely upon that portion of the fifth amendment, and I do so state. I wish to rely further, sir, upon the rights which I believe are guaranteed to me and to every citizen under the first amendment to the Constitution of the United States.

In order that there may be no shadow of doubt as to what I mean by those rights, I want to say that I believe that, calling me before this committee, I am being deprived of my freedom of speech, association and assemblage, because the guaranty of the first amendment and the way that the first amendment operates is that I have the right, if I as an individual wish to exercise it, of believing and expressing that belief and associating with others who believe that—for example: this committee is a very disgraceful affair—I have the right to believe that.

Now the operation whereby this right is taken away from me or the right, for example, to believe anything else I may want to, no matter how unpopular, is this: that the operation of this committee is as follows: Because the Communist Party may oppose this committee—if it does—the McCarthyite committee, if it does—the Jenner or Velde committee—if it does; and because I and I believe thousands of others, millions of other decent people do likewise; if they oppose this committee and express that opposition they are stated to be following the Communist Party line and thus to be tarred with the Communist brush.

Just by way of brief illustration, Congressman Scherer pointed to a button a witness was wearing, which button said "Joe must go," meaning of course McCarthy must go, and Mr. Scherer said, "So long as you wear that button and people like you wear that button," meaning, rather illogically, that such a person was presumed to be a Communist simply because he relied on the fifth amendment, "So long as you and persons like you wear that button, Joe will never go." What he meant was that if a Communist or a person charged with being a Communist supports a laudable objective that it is unsafe for other Americans to support such laudable objectives.

Gentlemen, I believe that in advancing that philosophy, which is the very foundation-stone of this committee, the first amendment is torn to shreds and violated.

Mr. JACKSON. May I ask you, Mr. Caughlan, if Mr. Scherer or anyone else has the right to the opinion that he expressed?

Mr. CAUGHLAN. Sir, incidentally, I assume that for the moment the other question that is before me is withdrawn so that I can answer this one. Can I assume that?

Mr. JACKSON. Yes.

Mr. CAUGHLAN. Thank you. Mr. Scherer has the right, as you have the right or anyone else has the right, to express any opinion they wish under the first amendment. The problem is this: That for you, sir, as a representative or as a supposed—as a representative—let us leave out anything else—of the Government to come here, as you have done, sir, with certain witnesses called before you, and asking them, "Now will you promise never to give any more money to such and such a cause?" telling them what they can give money for; "Will you promise never to subscribe to such and such a paper?" telling them—

Mr. DOYLE. Just a minute. We never said such a thing, and you know it.

Mr. JACKSON. I don't think it appears in the record.

Mr. CAUGHLAN. I heard the questioning the other day of Mr. Shain before this committee.

Mr. DOYLE. You never heard us tell him never to give another cent—

Mr. CAUGHLAN. I heard you ask him: "Now have you listened? Have you learned your lesson? Don't give any more money to these organizations." And I heard him, in a shocking display, I feel, of the loss of human dignity of a human being before this committee—I heard him promise in humiliated tones, no, he would never do anything of that sort.

Now if I misheard or misinterpreted what happened, I stand corrected, but that seemed to me to be what was happening.

Mr. JACKSON. Perhaps, Mr. Caughlan, he sincerely felt regret at what he had done. That was my impression.

Mr. CAUGHLAN. He was compelled to—

Mr. JACKSON. I don't believe there was any compulsion on him in any regard; I think Mr. Shain was certainly treated with the same consideration as he, himself, showed the committee and which, I might say, has been the standard practice of the committee, to repay courtesy with courtesy, dignity with dignity. I believe that that will stand on the record. Certainly those who had an opportunity to view these proceedings for a week can come to no other conclusion. We have tried to maintain dignity and decorum in this hearing room, sometimes under very difficult circumstances.

However, please proceed with the balance of your statement.

Mr. CAUGHLAN. I feel that I have completed my answer to your question.

Now do I understand that the other question is still before the committee, that is, whether I was a Communist Party member at any time, or something of that sort? I forget.

Mr. TAVENNER. Yes, that is the question.

Mr. CAUGHLAN. And I was stating my reasons for my declination to answer that question.

Mr. TAVENNER. That is right.

Mr. CAUGHLAN. Now in connection with my reasons, under the first amendment—and without referring again to the illustration that I

gave a moment ago—let me quote briefly from the opinion of Mr. Justice Jackson in a case a few years ago:

If there is any fixed star in our constitutional constellation, it is that no official, high or petty, can prescribe what shall be orthodox in politics, nationalism, religion, or other matters of opinion, or to force citizens to confess by word or act their faith therein. If there are any circumstances which permit an exception, they do not now occur to us.

Now may I say that I believe that in calling me before this committee and, having defamed my character, to ask me that question in these circumstances, and depending upon my answer, as was illustrated the other day, to make me confess my faith in this or that, is certainly a deprivation of my rights under the amendment that I have stated.

Mr. JACKSON. Let the record show that the committee is not attempting to force you to say anything. The committee has asked you a question, to which you may answer "Yes" or "No," or to which you may decline to answer, as you have already done in this instance. There is no effort being made to force you. That is one thing that should be very clearly in the record at this time.

Mr. CAUGHLAN. Sir, I am an attorney myself, well represented by able counsel, and I can assure you that I will not be forced or intimidated. I don't intend to be.

Mr. JACKSON. I can assure you that the committee will make no effort to force you.

Mr. CAUGHLAN. May I continue?

Mr. JACKSON. May I ask a brief question?

Mr. CAUGHLAN. Is the present question withdrawn temporarily, while you ask the other?

Mr. JACKSON. I will withhold my question.

Mr. CAUGHLAN. Very well. Until this present question is answered? I want to complete my answer to the present question.

Mr. DOYLE. May I say this, with all due respect to the gentleman of the bar? Mr. Chairman, I do not see why we should go so far overboard with the gentleman in the matter of time and, merely because he is a lawyer, allow him to argue before us things that are not material, that are not pertinent to the question asked. I submit that the witness ought to be required to be as reasonably brief as all other witnesses have been required to be. And I submit that this is something that I, as a member of the committee, shall expect. If the gentleman wants to make a speech and argue against the function of the committee, let him do it in another tribunal or another place.

Mr. CAUGHLAN. Is that a challenge?

Mr. DOYLE. It is an invitation—

Mr. CAUGHLAN. I accept.

Mr. DOYLE. To be responsive to the question and not to make a brief here. We have other witnesses to hear yet, I think, and I feel that you are going outside the issue—and I believe you think you are. I don't blame you for wanting to make a record, but don't take undue time, please.

(At this point Mr. Coughlan conferred with Messrs. Schweppe and Burton.)

Mr. CAUGHLAN. Let me make this comment, if I may. I would be delighted, just delighted, to accept the challenge to discuss this issue at length with you or any other member of the committee and, if that is the challenge, I accept.

Mr. JACKSON. Challenges will be issued and accepted outside the hearing.

Mr. CAUGHLAN. May I complete my reasons?

Mr. JACKSON. It would be appreciated.

Mr. CAUGHLAN. I will answer the question, sir. I will have to answer in my own way; I will have to state my objections in the manner I feel I must, and that I will do now.

Mr. JACKSON. The Chair will bear with you for a short period longer. We have a great many more witnesses. None of the witnesses who have appeared have been permitted to expound at such considerable length. The Chair does not want unduly to cut you off, but I wish you would hurry along.

Mr. CAUGHLAN. Thank you. I next want to state that under the fourth amendment, which is very closely related to the first and fifth amendments, I believe that this committee's asking me or any other witness the question that you have just propounded to me is an invasion of my rights of privacy and, in effect, an unlawful search and seizure.

I would like in that connection just to read briefly the following from an opinion of the Supreme Court—

Mr. TAVENNER. Mr. Chairman, may I interrupt?

Mr. JACKSON. Yes.

Mr. TAVENNER. The witness has stated his legal ground. The matter of argument which he is now proposing to make is one that has been made before this committee at numerous times. I suggest that the witness be limited to the presentation of his points without such elaborate argument.

Mr. CAUGHLAN. Sir, I am not arguing; I am stating my point.

Mr. TAVENNER. By way of argument.

Mr. JACKSON. The Chair will state now that any material or matter which is not directly responsive to the question pending—and, certainly, decisions of the Supreme Court I do not believe are, in this instance—will not be accepted by the committee and will be stricken from the record.

Mr. CAUGHLAN. Very well. I, nevertheless, because a record is being made, will complete, if I may, my answer to the question, stating my legal reasons.

Mr. JACKSON. It is now 26 minutes of 4. Will 6 minutes more enable you to state the balance of your constitutional grounds?

Mr. CAUGHLAN. I can't say. I hope so.

Mr. JACKSON. Well, I will say that in 6 minutes I hope that you will have them all in the record.

Mr. CAUGHLAN. I think if I am uninterrupted, very likely I can proceed to state my grounds adequately in that length of time, and I will endeavor to do so.

Mr. JACKSON. Thank you.

Mr. CAUGHLAN. I was just mentioning at the time of the interruption that under the fourth amendment one is, it seems to me, protected from unlawful inquiries, searches and seizures, and the Supreme Court has illustrated that and commented on that in an opinion in *Jones* against the Securities and Exchange Commission, stating the following:

No one can read these two great opinions,

referring to two cases,

without perceiving how closely allied in principle are the three great protective rights of the individual: that against compulsory self-accusation; that against unlawful searches and seizures; and that against unlawful inquisitorial investigations. They were among the intolerable abuses of the Star Chamber, which brought that institution to an end at the hands of the Long Parliament in 1640. Even the shortest step in the direction of curtailing one of these rights must be halted immediately lest it is served as a precedent for further advances in the same direction or for the wrongful invasion of others.

Now with that statement with respect to the right which a person has not to have his privacy, that is, his political views, his opinions, his thoughts investigated or inquired into, as I believe is being done with me at this time, I wish now to state briefly, by reference—what other witnesses have referred to, and then to come to another major legal point, and that is the fact that under the ninth and tenth amendments, it seems to me the rights that this committee is inquiring about, as far as I am concerned, are those which are reserved to the States and to the people.

Now, sir, in connection with this question, in prefacing my last statement of a legal point, I know that you, gentlemen, know—although I don't know that everyone knows—that in 1948 I was charged before the United States district court in Seattle here with having testified falsely in stating that I was not and never had been a member of the Communist Party. The indictment alleged that as a false statement. I was tried here before an impartial tribunal, an impartial jury. I had the right of cross-examination, and it was exercised; and I was acquitted of that charge.

Now many people don't understand the law but I think I am safe in saying that my distinguished counsel will not advise me and do not advise me that if I were to answer that same inquiry before this tribunal, even though I was acquitted of it in 1948, that the gentleman, Mr. Canwell, who is sitting back there and who was very instrumental in having me tried at that time, together with you gentlemen wouldn't seek to renew that same matter and have me tried again for that same thing even though I was acquitted of it before. Many people do not understand the very serious problems which a witness faces before these inquisitorial bodies such as this when questions such as this are put before them.

And when you gentlemen have what seems to me is a violation of the ninth commandment in the morning and a violation of the fifth amendment in the afternoon—the ninth commandment is “Thou shalt not bear false witness against thy neighbor”—

MR. JACKSON. You are not accusing the committee of bearing witness in any respect, are you?

MR. CAUGHLAN. No. It does seem to me, if I can put it this way, that that is violated—or during the week, in the morning, and in the afternoon we have the fifth amendment violated, and which seems to me a further violation of due process. It seems to me it is a violation of due process when a witness exercises a privilege and, as one court said, a duty under the Constitution that this committee badgers that witness and says, “If you weren't guilty, you wouldn't be claiming that privilege,” “If you weren't a member of the Communist Party, you wouldn't be claiming that privilege,” which the members of this committee know is not the law. And thus I say, in the morn-

ing the ninth commandment is violated; in the afternoon the fifth amendment is violated.

Now what is the fifth amendment? Because I am going to rely upon—

Mr. JACKSON. You have 1 minute left.

Mr. CAUGHLAN. Sir, I am going to state my legal reasons, as best I may.

Mr. JACKSON. That is quite all right, but it is going to be necessary to state them quite rapidly, because the time was set by the Chair and the Chair intends to exercise the authority of the Chair when that time has arrived.

Mr. CAUGHLAN. As I have indicated, the statement which has been made here, which has been repeated by this witness, without any right of cross-examination on my part, is followed, and has been with other witnesses who have claimed their rights, with the statement, "Well, sir, you can't possibly need to invoke the fifth amendment if you aren't a Communist. You can't possibly need to invoke the fifth amendment if you are not guilty of some crime."

In conclusion, in stating this point—I mentioned earlier that I am a graduate of Harvard Law School, of which I am very proud—I want to refer to an article, which I know, from the questions that have been asked witnesses, has been read and studied by this committee and counsel, by Dean Erwin R. Griswold, dean of the Harvard Law School.

Mr. JACKSON. The article is not in my opinion responsive to the question which is pending, to which an answer has been declined, and since what I believe has been a reasonable period of time, something over a half hour, has elapsed, the Chair is going to insist that if there are any more constitutional reasons that you wish to advance, they should be advanced briefly at this time and consisting of only constitutional reasons.

Mr. CAUGHLAN. There are indeed, and I now refer to the matter which, as I saw, was discussed by Dean Griswold in the article I referred to.

Mr. JACKSON. What is the amendment you are invoking?

Mr. CAUGHLAN. Do you want to hear the name of the article? It is entitled "Fifth Amendment," by Dean Griswold of the Harvard Law School.

Mr. JACKSON. That is most interesting, but I do wish you would invoke any other constitutional amendment that you wish to invoke.

Mr. DOYLE. I am sure that we are familiar with that article.

Mr. CAUGHLAN. I want to state clearly before this committee that I rely, without the least apology, upon the following section of the fifth amendment. I referred to another section. I am now going to read the other section that I rely upon.

I rely upon the following section of the fifth amendment: "No witness shall be compelled in any criminal case to be—" "No person shall be compelled to be a witness against himself."

I have stated, sir, the jeopardy in which you seek to place me. I rely upon that right which I have, and I affirm it proudly.

Mr. JACKSON. Very well. You need make no apology for its use. Proceed, Mr. Counsel.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. CAUGHLAN. Well, there are quite a few answers I have just given. I don't want to state them all over again.

Same answer.

Mr. TAVENNER. The committee is satisfied to receive an answer to the effect that you refuse to answer upon the same ground.

Mr. CAUGHLAN. Yes.

Mr. TAVENNER. Then I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. In view of the gentleman's statement about this committee being unconstitutional, following unconstitutional practices and interfering with his property rights, inasmuch as this is not a court, as the gentleman knows, I want to again call attention to Public Law 601, and I want to read the first paragraph, Mr. Chairman, so that those here and those having heard the gentleman's statement will again have this information.

This committee operates under Public Law 601 passed in the 79th Congress, which time and time and time again has been held constitutional by the highest courts in our land. It states:

The committee on Un-American Activities, as a whole or by subcommittee, is authorized to make from time to time investigations of the extent, character and the objectives of un-American propaganda activities in the United States * * * aid Congress in any necessary remedial legislation.

Now that is the burden of Public Law 601, under which this committee is here, and we are here solely for the purpose of investigating the extent to which subversive activities have infiltrated any level, experienced in the Pacific Northwest area.

The reason we are calling so many people this time and asking them if they are members of the Communist Party is that the Communist Party of the United States was declared subversive as far back as December 4, 1947, and at all times since by agencies of the United States Government, including this committee, has been so declared. We have declared and our record shows that the Communist Party of the United States from its inception has been a subversive organization. By "subversive," we mean that our record shows and all Government records show that the Communist Party in the United States is an organization that believes in, advises, advocates and teaches the overthrow by force and violence of the Government of the United States—as the gentleman well knows.

(At this point Mr. Coughlan conferred with Messrs. Schweppe and Burton.)

Mr. DOYLE. May I again say this for the record?

If it so happens that the reputation or good will which a person holds in a community is injured by reason of that person being subpoenaed to come before this committee, then that is always regrettable, and every member of this committee regrets any such injury or any such damage, if it results. But, as I understand the record, Mr. Attorney, you were identified under oath by two admitted high functionaries of the Communist Party in the United States in this very area. Knowing this, we couldn't very well overlook you, when you have been identified by two persons under oath, just because you are an attorney.

We have no choice under our procedure. Our assignment is to investigate subversive activities in the United States, wherever and whenever we have reasonable belief to believe that they exist. Therefore, when we subpoenaed you just like any other person, we did it because we believed we had substantial evidence, uncontroverted up until that time, of the fact that these people believed under oath——

(At this point Mr. Caughlan conferred with Messrs. Schweppe and Burton.)

Mr. DOYLE. That you were a member of the Communist Party.

Mr. CAUGHLAN. Hardly uncontroverted.

Mr. DOYLE. And they so swore.

Mr. CAUGHLAN. Hardly uncontroverted. After all, the verdict of a jury is about as good evidence as you could get.

Mr. DOYLE. We are not a jury, but we were assigned by your Congress to come here and question people about what they knew about subversive activities in the Pacific Northwest; and we subpoenaed you, you having been identified by at least two people under oath who were admittedly high functionaries of the Communist Party in the Northwest.

May I also say this, which I have stated frequently in these hearings and otherwise? In my book, no inference is to be drawn because a witness before this committee uses the fifth amendment or any other constitutional defense.

Mr. CAUGHLAN. May I make one comment, Congressman—briefly?

Mr. DOYLE. May I say that I just don't understand why any member of the American bar ever joins the Communist Party in the first place, and I don't understand yet why any member of the American bar who has ever joined the Communist Party of the United States for any motive—whatever his motive was originally—I just don't understand why the few members of the bar that I have questioned or who have set before us, over the country, when they are given the opportunity to help uncover the known subversive Communist conspiracy why they don't come and help their Government, without so many of them using their constitutional privileges. Because, as I regard it, their duty to their Government and to their oath comes first and, knowing that certain members of the bar must know about the Communist conspiracy, which has been so declared by our Government, I just don't see why so many members of the bar refuse to help.

(At this point Mr. Caughlan conferred with Messrs. Schweppe and Burton.)

Mr. DOYLE. I think that is all, Mr. Chairman.

Mr. CAUGHLAN. Could I—just a moment—

Mr. DOYLE. I have one further statement. I want this clear, because you emphasized it.

And I think, Mr. Chairman, it is the first time in these hearings that this point has been raised, and I made a note of it.

I recognize, of course, that you, as a lawyer, are making a record in opposition to the force of your subpoena, and therefore I recognize why you joined in the argument and said that clients have a right to believe that their confidential relationship will not be invaded. Now may I say to you, sir, you certainly know that this committee would never directly or indirectly ask you, even if you waived your constitutional privilege, to reveal any confidential relationship that existed between you and any client. You know that, I hope.

Mr. CAUGHLAN. Is that a question? I will answer that.

Sir, it is certainly true that no lawyer who respected his oath could violate the confidence of a client, but I want to point out that what has happened here is this: This committee, with knowledge that I was acquitted of the charge that you have again publicly made against me—

Mr. JACKSON. Just a moment.

Mr. CAUGHLAN. Wants to put—

Mr. JACKSON. Just a moment. The committee has made no charge against you. Let the record show that positively, once and for all—no charge.

Mr. CAUGHLAN. You called the witness and you had the witness testify—

Mr. JACKSON. The witness has made certain allegations in the course of her voluntary testimony under oath.

Mr. CAUGHLAN. Over television—in response to questions.

Mr. JACKSON. The committee has yet to make any charge against you.

Mr. CAUGHLAN. You procured a public defamation of me.

What I am pointing out is this:

(At this point Messrs. Schweppe and Burton conferred with Mr. Caughlan.)

Mr. CAUGHLAN. You are laying a foundation for a charge, which I must say seems to me to be one which you would like to bring against me. And the fifth amendment protects persons, not because they are guilty, but because some hostile political group—

Mr. DOYLE. No. No.

Mr. CAUGHLAN. May seek to prosecute them, though they are absolutely innocent.

Mr. DOYLE. May I say to the gentleman—we are not laying the foundation for any kind of prosecution, and I think the gentleman knows that.

And I add, in good faith, sir, our function is not to lay a foundation for prosecution but to uncover at any level, whether in law, in education, in religion, in labor—

(At this point Mr. Caughlan conferred with Messrs. Schweppe and Burton.)

Mr. DOYLE. Or any place else; it is to uncover the extent of subversive activities in the United States, and you happen to be one of the persons who was identified. According to witnesses under oath, you are one of the American citizens who, it has been testified, knows considerable about the functioning of the Communist Party in the Northwest. We are not laying the groundwork for you to be prosecuted, and you know that.

Mr. CAUGHLAN. I already answered the question before a jury, sir, and let me say—

Mr. DOYLE. We have no connection with prosecutions. You know that.

Mr. CAUGHLAN. Let me say this.

Mr. JACKSON. There is no particular point in laboring this point any further. We have additional witnesses and a very short period of time in which to conclude these hearings today.

Do you have anything further, Mr. Counsel?

Mr. TAVENNER. I think not, sir.

Mr. JACKSON. If not, the witness is excused from further attendance under the subpoena.

Thanks is again extended to the Seattle Bar Association for their help and representation during the course of these hearings and I would appreciate it if that expression is conveyed to the members of the Seattle bar.

(Witness excused.)

Mr. JACKSON. Call your next witness, Mr. Counsel.

Mr. TAVENNER. Mr. Karley Larsen.

**TESTIMONY OF KARLEY LARSEN, ACCOMPANIED BY COUNSEL,
JOHN F. WALTHER**

Mr. JACKSON. In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. LARSEN. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

Mr. LARSEN. Karley Larsen, K-a-r-l-e-y L-a-r-s-e-n.

Mr. TAVENNER. It is noted that you are accompanied by counsel. Will counsel please identify himself for the record?

Mr. WALTHER. John F. Walther of the Seattle bar.

Mr. TAVENNER. When and where were you born, Mr. Larsen?

Mr. LARSEN. I was born at a place called Skjellerup, Denmark—and I don't know how to spell that.

Mr. TAVENNER. Are you a naturalized American citizen?

Mr. LARSEN. Yes, I am.

Mr. TAVENNER. When and where were you naturalized?

Mr. LARSEN. I was naturalized through my father on April 14, 1921, in the city of Everett.

Mr. TAVENNER. Where do you now reside?

Mr. LARSEN. East Stanwood, Route 1.

Mr. TAVENNER. Is that in the vicinity of Everett?

Mr. LARSEN. Approximately 20 or 22 miles from Everett.

Mr. TAVENNER. How long have you lived there?

Mr. LARSEN. Some 44 years.

Mr. TAVENNER. Will you tell the committee, please, briefly, what your formal educational training has been?

Mr. LARSEN. Just through the eighth grade.

Mr. TAVENNER. What is your present occupation?

Mr. LARSEN. I am a head loader in the lumber industry.

Mr. TAVENNER. How long have you worked in the lumber industry?

Mr. LARSEN. Well, recently, I have only been back there 6 days—since the trial of last year. I started last week. Prior to that time I put in some 20 years.

Mr. TAVENNER. During that period of time did you occupy any position of prominence in the union, working within that industry?

Mr. LARSEN. Yes, I did.

Mr. TAVENNER. What was the name of the union?

Mr. LARSEN. International Woodworkers of America. I might state that originally we organized into the American Federation of Labor, the Carpenters and Joiners; in 1935 and 1937 a big section of our industry transferred into the International Woodworkers of America, CIO.

Mr. TAVENNER. What positions have you held within your union, that is, within your local?

Mr. LARSEN. I think the only position that I held in the local union was business agent. Now I may be wrong; I may have held some other minor position—but I believe business agent is the only one.

Mr. TAVENNER. I don't know whether you intended it, but it sounded as though you were speaking of business agent in a disparaging manner.

Mr. LARSEN. No, sir.

Mr. TAVENNER. Actually, a business agent is the most important man in a local union, is he not?

Mr. LARSEN. That is correct.

Mr. TAVENNER. Far more important than the president of a local union?

Mr. LARSEN. It could be possible that I held one of the other positions, but I don't recall.

Mr. TAVENNER. Have you held any position within the national organization of your union?

Mr. LARSEN. Well, in 1938 I was elected president of what is known as district No. 2, International Woodworkers of America.

Mr. TAVENNER. What area does district No. 2 include?

Mr. LARSEN. It covers everything from—or I should say it did cover the area from the Canadian border down below Olympia, Wash. and to the Range of the Cascades.

Mr. TAVENNER. Over how long a period of time did you hold a district office?

Mr. LARSEN. I ran for reelection each year from then up until the fall of 1945. At that time I ran for the position of first international vice president of the parent organization.

Mr. TAVENNER. What year was that?

Mr. LARSEN. That was in the fall of 1945. I took office in January 1946.

Mr. TAVENNER. And you were elected as an international vice president?

Mr. LARSEN. Yes, sir.

Mr. TAVENNER. How long did you hold the international office?

Mr. LARSEN. It was a 2-year term that the international officers were elected to.

Following the convention in 1947—I believe in October—they decided to comply with the Taft-Hartley Act, and I chose not to and resigned the position of international vice president.

Following that, I came home, and I believe I more or less laid around for several months, and for a short period I believe I went back as an organizer in district No. 2.

In the summer of 1948 I ran for reelection as president in district No. 2 and was reelected.

Mr. TAVENNER. As president of district No. 2, were you required, under the law, to sign the Taft-Hartley affidavit?

Mr. LARSEN. No, sir; we were not. The issue arose in 1951 over some case back East—I don't recall which. At that time our district decided to comply with the Taft-Hartley Act. On August 3, 1951, I signed the anti-Communist affidavit.

In the year 1952, district No. 2 and what is known as district No. 3 of the International Woodworkers of America, which was the district south of us from Olympia to the Columbia River, merged into one combined district council, and at that time I ran for the position of first vice president, was elected, and held that position up until 1953, when I was removed from office by a convention during the Smith Act trial—not by the membership of my union.

Mr. TAVENNER. Now you have spoken of the Smith Act trial. You were speaking of the trials that took place here in Seattle, were you not?

Mr. LARSEN. That is correct.

Mr. TAVENNER. When did the trials begin?

Mr. LARSEN. I believe it was April 14 or 15.

Mr. TAVENNER. And do you recall the date of your indictment?

Mr. LARSEN. September 17, 1952.

I should say—I think that is incorrect. I think I was arrested on September 17 and it seems to me the indictment was September 24.

Mr. TAVENNER. I believe you were acquitted in the trial of that case, were you not?

Mr. LARSEN. That is correct.

Mr. TAVENNER. Did you testify in your own behalf?

Mr. LARSEN. No, sir; I did not.

Mr. TAVENNER. Were you represented by counsel during the trial?

Mr. LARSEN. Yes, I was.

Mr. TAVENNER. Who was the counsel who represented you?

Mr. LARSEN. Mr. John Walthew, the same counsel I have with me today.

Mr. TAVENNER. He was your counsel during the trial of the case?

Mr. LARSEN. That is correct.

Mr. TAVENNER. During all of the trial of the case, from beginning to end?

Mr. LARSEN. That is correct.

Mr. TAVENNER. Did he make an opening statement in your behalf before the court and the jury?

Mr. LARSEN. Yes, he did.

Mr. TAVENNER. Do you recall during the course of that opening statement that counsel, acting in your behalf, stated to the court and the jury the following—I quote from page 1294 of the transcript of the record of the trial of the *United States of America, Plaintiff, v. Henry P. Huff and others*, No. 48563:

I propose in this opening statement to outline for you some things that the evidence will show very definitely and propose to tell you when Karley Larsen joined the Communist Party of the United States and why he joined that party, because he did—he joined it many years before, apparently, than was outlined to you the other day, that it was in late 1939. It wasn't; it was early in the 1930's that he joined the Communist Party of the United States, and I propose to tell you why he joined that party.

Do you recall that statement having been made in your behalf?

Mr. LARSEN. I do.

Mr. TAVENNER. Do you recall also that during the course of the opening statement made by your counsel in your behalf that this language was used, and I quote from page 1309 of the same transcript:

Now please let me stress one thing: When Karley Larsen joined the Communist Party in 1933 he didn't change; he was the same man; he had the same ideas; he had the same aims and objectives on the day before he joined as he had the day after he joined. And at all times he did not change at all; he advocated the same things. And after he left the Communist Party in 1946 he again did not change one whit or jot; he was the same man he had been before and he continued to stand for and against the same things that he had while he was a member during those years 1933-46.

Do you recall that statement?

Mr. LARSEN. I do.

Mr. TAVENNER. You authorized your counsel to make that statement in your behalf, didn't you?

Mr. LARSEN. Well, I would say that I don't know as he was quoting me. I authorized the substance of the statement and the words are—

Mr. TAVENNER. Are his?

Mr. LARSEN. His words.

Mr. TAVENNER. But the statement is the truth, is it not, that you were a member of the Communist Party from 1933 to 1946?

Mr. LARSEN. I joined the Communist Party in either the late fall of 1933 or the early spring of 1934.

Mr. TAVENNER. How long did you remain a member of the Communist Party?

Mr. LARSEN. Until 1944, I believe. My dates may not be exactly correct, but up until the time they dissolved the Communist Party and established the Communist Political Association.

Mr. TAVENNER. Did you become a member of the Communist Political Association?

Mr. LARSEN. Yes, I did.

Mr. TAVENNER. Did you rejoin the Communist Party or reaffiliate with it when it was reconstituted in 1945?

Mr. LARSEN. Yes, I did.

Mr. TAVENNER. And did you remain as a member, at least through 1946?

Mr. LARSEN. Mr. Chairman, it was always my understanding during the years that I was in the Communist Party that in order to maintain membership you had to pay dues, you had to attend meetings and carry out some of the decisions that was made within the framework of the organization in which you participated.

In January 1946, I went to Portland, and I traveled the United States and Canada for 2 years, and I doubt that I was—this is without being specific—that I was in Seattle over five or six times during that whole period and did not participate—did not meet, did not participate in carrying out any of the decisions here and did not consider myself what I understand as a member of the Communist Party.

Mr. TAVENNER. That was between 1946 and 1948?

Mr. LARSEN. That is correct—until the fall of 1947.

Mr. TAVENNER. At what time in 1948 would you place that breaking off period?

Mr. LARSEN. Well, I came back here in the fall of 1947.

Mr. TAVENNER. Then you would say because you had been away for a period of time and worked for the district—

Mr. LARSEN. For the international.

Mr. TAVENNER. For the international organization of which you were a member, you were not in actual attendance locally at Communist Party meetings between 1946 and when you returned in 1947?

Mr. LARSEN. It was impossible.

Mr. TAVENNER. That was while you were with the International Woodworkers of America organization.

Now when you returned in 1947, did you continue in your Communist Party activities?

Mr. LARSEN. I would say I believe it was in the fall of 1948, without having attended any convention in 1948, contrary to what I gather is some statements that have been made, I made it known to Mr. Henry Huff that because of the circumstances in the union it was impossible

to continue, if they felt or considered myself a member of the Communist Party—my membership as far as the Communist Party was concerned—and they were to consider, if they had not already done so, that I was not a member of the Communist Party. And I believe that was in the fall of 1948.

Now I might state that I have been working and was not here until Wednesday, so I did not hear what Barbara Hartle had to say, but other than I read in the newspaper.

Some of the statements she made were also charged against me by individuals in the trial. I was not at the 1948 convention; I was not at the 1950 convention of the Communist Party. There were two witnesses in the Smith Act trial that were present that confessed to the very same statements she made. I have never been notified that I was ever elected to any committee in the 1950 convention.

During the period that I was in the Communist Party, outside of the first very short period, my associations were with the top leadership of the Communist Party over a period of many years, which included Mr. Rappaport, a Mr. Jackson at that time—I forget what his first name was—Mr. Frankfeld—

Mr. TAVENNER. That is Phil Frankfeld?

Mr. LARSEN. Phil Frankfeld. A Mr. Remes.

Mr. TAVENNER. Andy Remes?

Mr. LARSEN. Andy Remes. A Mr. Alexander.

Mr. TAVENNER. Is that Ed Alexander?

Mr. LARSEN. Ed Alexander, his wife. Mr. Huff.

Mr. TAVENNER. What is his first name?

Mr. LARSEN. Henry. His wife. Van Lydegraf.

Mr. TAVENNER. What is his first name? Clayton?

Mr. LARSEN. I think it is. I don't think of any more right offhand.

Mr. TAVENNER. Now you made a statement that you understood that Mrs. Hartle testified here that you had attended a convention. My recollection of her testimony is that she stated that you were elected to the convention under the name Wood, in order to conceal your true identity, and at the time she was elected as a delegate to the same convention under the name "Waitress," in order to conceal her identity. Is that true?

Mr. LARSEN. My understanding of what she said—and I would like to be clear on it—my understanding was that she had said that I was elected to a district committee.

Mr. TAVENNER. I am mistaken. This was action taken at the convention electing you under the name of Wood to membership on the district—

Mr. LARSEN. Committee.

Mr. TAVENNER (continuing). Committee, in order to conceal your identity, and the election of herself under the name of "Waitress" in order to conceal her identity, and that neither you nor she were present at the convention.

Mr. LARSEN. That is my understanding.

Mr. TAVENNER. Yes. Well, were you so elected?

Mr. LARSEN. Not to my knowledge, and never served. And it was testified by two witnesses in the Smith Act trial that were present that that was not a fact. That is a matter of record.

Mr. TAVENNER. Did you use a name in the Communist Party other than your own name?

Mr. LARSEN. I have never used in my life any other name than my original name that I go by, under no circumstances.

I might state that people have referred to me as "Snoos," which has been somewhat customary because of the fact I chew Copenhagen.

Mr. TAVENNER. I am speaking of the use of a name in the Communist Party as a designation for you and not a nickname.

Mr. LARSEN. No, sir. I have never used any other name than my own.

Mr. TAVENNER. Do you recall the period of time in the Communist Party that a plan was adopted to send certain of its members underground in order that they may be available as a second string list of officers in the event of arrests of the first string or the first team?

Mr. LARSEN. I don't recall that while I was there; no, sir.

Mr. TAVENNER. Mrs. Hartle testified that she was sent underground for that purpose in July of 1950 and that on one occasion she took a trip and met you—I think it was in December of 1950—and she discussed in an automobile, in a car, Communist Party matters with you. Is that true?

Mr. LARSEN. I have no recollection of ever meeting Barbara Hartle in my car or anyone else's car in any such meeting in 1950; and I think she is off just as far when she makes that statement as when she stated this morning that I had become an international officer in 1948—she was off 2 years then.

Mr. TAVENNER. Well, maybe Mrs. Hartle was off a period of days or weeks or even months as to the time of her meeting with you, which she described in December 1950.

Did you meet with her in 1951 and discuss Communist Party matters?

Mr. LARSEN. Not to my recollection; no, sir. I don't think in 19—I don't even recall seeing Barbara around the country here from 1950 or somewhere thereabouts.

Mr. TAVENNER. Why? Do you know?

Mr. LARSEN. I have an idea she has pretty well answered it herself. I wasn't in contact with her.

Mr. TAVENNER. She was sent underground. You knew that at the time, didn't you?

Mr. LARSEN. I could only surmise it, sir. I didn't know where she was.

Mr. TAVENNER. No, but you knew she had been sent underground and that her identity and the place of residence was a secret?

Mr. LARSEN. I didn't know any more about it than probably you did, sir.

Mr. TAVENNER. And while she was so acting in that underground capacity, she came to see you on Communist Party matters?

Mr. LARSEN. No, sir; she did not, not to my recollection.

Mr. TAVENNER. Now Mrs. Hartle has testified that you were the most prominent person within the Communist Party within the field of lumber and that it was your responsibility to carry out the Communist Party program within the field of lumber. If that statement is true, you should be in a position to give this committee considerable information.

First let me ask: Do you recall meeting in Communist Party meetings, in which you discussed with other Communist Party members

the program or plan that the Communist Party should adopt or should endeavor to execute within the field of lumber?

MR. LARSEN. I wouldn't say that I didn't discuss it. I don't recall any meeting—Communist Party meeting where such a thing was discussed. I want that clearly understood—that during all these years that I was active or as a member of the Communist Party that in traveling all around that it was the top leadership of the Communist Party that I met with, it was through them I paid my dues, and that was my relationship with the Communist Party.

MR. TAVENNER. All right. Now what was the objective of the Communist Party within the field of lumber? What was it endeavoring to do?

MR. LARSEN. Well, without detail, I would say, No. 1, gain some members in there and, No. 2, to attempt to get the labor movement to accept its policies and its objectives.

MR. TAVENNER. To get the labor unions to accept the Communist policies and objectives.

Now how did you go about securing that type of action from labor-union members?

MR. LARSEN. Well, I should say this: There apparently is some difference over what kind of a job I done and what kind of a job I didn't do.

MR. TAVENNER. Let us have your version of it.

MR. LARSEN. The Government contended in the Smith Act trial—and I have understood by listening here—that the Communist Party advocates strife and turmoil and dissatisfaction.

MR. TAVENNER. I am not asking you what somebody else said or what the Government did. I am asking you now, What action did the Communist Party take within the field of lumber to get the membership of the locals to adopt the Communist policies?

MR. LARSEN. I can only state specifically what I done first. I recommended to the membership every 30 days in writing—

MR. TAVENNER. Membership of what?

MR. LARSEN. Of our district council, in writing—

MR. TAVENNER. Of your union?

MR. LARSEN. Of our union—a written report which was verbatim, every 30 days, from 1938 to 1950, I believe. In 1950 I made it every 60 days until I left, and that report was based upon my own judgment in consultation with the membership of my union, irrespective of what the Communist Party had said or done. If they had suggested suggestions that were good, that I thought were good, I would accept them; if I thought they were bad, I didn't accept them.

And according to the testimony in the Smith Act trial and by some 11 witnesses, including 2 large employers—

MR. TAVENNER. I am sorry, I didn't hear that.

MR. LARSEN. I say the testimony of some, I believe, 11 witnesses in the Smith Act trial, including 2 of the largest representatives of the largest employers in the State of Washington, still undisputed by the Government, testified that for some 11 years we never had a basic strike in district No. 2 and that I lent my hand to prevent turmoil and dissatisfaction and we made a gain around the conference table every year.

Now it was at least my reaction by others in that trial that that was quite contrary to Communist Party policy.

Mr. TAVENNER. But what was the policy of the Communist Party then to which this was contrary, as you observed them and knew them as a Communist Party member?

Mr. LARSEN. I thought at that time I was carrying them out.

Mr. TAVENNER. Did you find out anything different?

Mr. LARSEN. In the Smith Act trial, when they got through the Smith Act trial, I concluded that I hadn't been carrying them out at all.

Mr. TAVENNER. Well, what policies did you observe that the Communist Party had when you were a member, and what strategy did it use in order to engraft its policy upon your local union?

Mr. LARSEN. Well, I think, as to my knowledge, like any other organization, they would either meet with its members and suggest objectives and raise them before the rank and file of the labor union.

Mr. TAVENNER. Did it include such matters as the election of the officers of the union: that is, to see that the officers who were elected by the union happened to be members of the Communist Party?

Mr. LARSEN. In some cases, very possibly so.

Mr. TAVENNER. Well, it happened in your case; didn't it?

Mr. LARSEN. Well, the record shows that well over 50 percent of the officers of our whole district council executive board, local unions, according to the testimony in the trial up there were non-Communist—at least they testified.

Mr. TAVENNER. How many were Communists, to your knowledge?

Mr. LARSEN. In our district?

Mr. TAVENNER. Yes, in your local.

Mr. LARSEN. Well, sometime in 1936 was the last I have been associated directly with my local union. I have been throughout the district all these years.

Mr. TAVENNER. Now there was a meeting that was testified to in the Smith Act case as having occurred at the Wood Hotel, in which it was testified that you were present and you discussed how to get members, woodworkers, into the IWA and other unions, and that the leaders in the Communist Party should stay, as it was said, and should hold some office in the union and should recruit new members when possible. That seems to have been the subject of your discussion.

Mr. LARSEN. I recall the statement by some witness in the trial. The statement sounds very unrealistic for me to make, because contrary to just that was the case.

Mr. TAVENNER. You did not work for the election of Communist Party members as officers of the local?

Mr. LARSEN. I would say—and the record—so it is there. It is not a question—we don't need to argue about it: it is a matter of fact that a big majority of the officers of the local unions and executive board in district 2 were persons that were outspoken anti-Communists. They spoke so and helped with my election.

Mr. TAVENNER. I understood from Mrs. Hartle that as the time went on, the efforts of the Communist Party became less and less successful. At this moment I am not talking about the degree of success or failure; I am talking about the plan of the Communist Party.

Let us try to go back in review for just a moment. I was trying to ascertain from you what the Communist Party purpose was in the field of lumber. You said this much—you said, "To recruit members

into the Communist Party from the labor union." You said that. And you said, "To get the labor unions to follow the policy of the Communist Party." You said that, didn't you?

Now I am asking you, wasn't it also to get their own members, that is, Communist Party members, elected as officers of the union in order also to carry on more easily the policies of the Communist Party?

Mr. LARSEN. Well, I think I answered, sir, that in some cases that was the case. That is true.

Mr. TAVENNER. That is what they tried to do, isn't it?

Mr. LARSEN. In some cases.

Mr. TAVENNER. In some cases they failed, in some cases they succeeded, but that was their purpose, wasn't it?

Mr. LARSEN. I think it would be unfair to say that they tried to fill all the offices. I think that would be an unfair statement.

Mr. TAVENNER. I didn't say anything about all the offices. But wasn't it the purpose of the Communist Party to be so strong within your union that it could dominate its actions? Wasn't that what it was trying to do?

Mr. LARSEN. That is a rather hard question to answer. To my knowledge, I had no experiences where they, as such, were attempting to dominate. There were times we had differences of opinion and some sharp—and we went to the district executive board, and that is where our decisions were made.

(At this point Mr. Jackson left the hearing room.)

Mr. TAVENNER. Who do you mean by "we went to the executive board"?

Mr. LARSEN. I should rather say I went to the executive board. I think the word "we" is incorrect.

Mr. TAVENNER. Now you said in that connection that you worked with the higher echelons of the Communist Party, did you not?

Mr. LARSEN. That is correct.

Mr. TAVENNER. So you worked out a plan between the higher echelons of the Communist Party and the executive board of your union?

Mr. LARSEN. No, I would say that is incorrect.

Mr. TAVENNER. Well, let us understand it.

Mr. LARSEN. I met with the top officers of the Communist Party and sometimes they were frequent and sometimes they were very infrequent; it all depends on where I was at. And they suggested to me their opinions and ideas as to many of the problems of the day. Many of them I accepted, went and recommended to the executive board of my union; some I didn't.

Mr. TAVENNER. Were you requested from time to time, as one of the leading officials—the business agent of your local—to procure the adoption in your local union of certain resolutions in which the Communist Party was interested?

Mr. LARSEN. I would say it would be a fair statement to say that at times they had objectives which they desired to—thought beneficial, at least in their opinion, and urged us to attempt to get them concurred in. I think that is a fair statement.

Mr. TAVENNER. Did you come to the conclusion that the Communist Party, in its desire to get the adoption of such resolutions, always supported plans or resolutions which were partial to the Soviet Union, where there might have been a conflict between the Soviet Union and the United States in those policies?

Mr. LARSEN. Generally speaking, I think it is a publicly, at least, acknowledged position that the Communist Party feels that the policy and program of the Soviet Union is a correct one. I think we needn't—

Mr. TAVENNER. I am trying to see what the Communist Party was doing in your local union, because there you were, holding the principal office in your local union, that of business agent, and at the same time we understand from Mrs. Hartle that you had the chief responsibility among the Communists for the propagation of the Communist objectives, whatever they were, into your union. There couldn't have been a more perfect setup, could there?

Mr. LARSEN. Well, it is obvious, very obvious, that the policies and program that the Communist Party advocated, as far as my union was concerned—and I am referring now to our district, while I was there—was basically based upon economic questions of the day, and in the main the record so shows.

Mr. TAVENNER. I believe about as far as I can go at this time is to ask you now 1 or 2 questions, which you can answer very easily and very simply.

Were you a member of the Communist Party at any time after January 1, 1948?

Or—excuse me. I believe you stated that it was stated in the trial that you were a member of the party between 1933 and 1946. Now my question is whether or not you were a member at any time after January 1, 1946?

Mr. LARSEN. I would say I did not consider myself a member because of the circumstances I cited. I would say that there is no reason for, at least, their books to show, which I have never seen in my life—any records of any kind there from the fall of 1948—if they carried me during the period that I was away.

Mr. TAVENNER. I am asking you if you were a member at any time after 1946?

Mr. LARSEN. Not to my knowledge.

Mr. TAVENNER. Not to your knowledge?

Mr. LARSEN. No.

(At this point Mr. Jackson returned to the hearing room.)

Mr. TAVENNER. Did you attend Communist Party meetings at any time after January 1, 1946?

Mr. LARSEN. If the meeting were the officers—some of the officers is considered a meeting, I would have to say yes.

Mr. TAVENNER. I think that would be the most important type of a meeting.

Mr. LARSEN. Not necessarily. There was times that, living in Seattle, I would meet Henry Huff and we would have a cup of coffee, or I would meet Henry Huff and Van Lydegraf and we would have a cup of coffee. I didn't consider that a Communist Party meeting any more than if I met a Democrat leader on the street.

Mr. TAVENNER. Did you accept directions from the Communist Party at any time after January 1, 1946?

Mr. LARSEN. I would say no.

Mr. TAVENNER. Did you participate in any Communist Party decisions after January 1, 1946?

Mr. LARSEN. Not in any official way.

Mr. TAVENNER. What do you mean by that?

MR. LARSEN. By participation in a convention or in official meetings of a district committee or the likes of that. That is what I have reference to.

MR. TAVENNER. Have you paid any Communist Party dues since January 1, 1946?

MR. LARSEN. Not to my knowledge. I had made some contributions.

MR. TAVENNER. Have you paid any dues since January 1, 1946?

MR. LARSEN. No.

MR. TAVENNER. Have you had a Communist Party card at any time since January 1, 1946?

MR. LARSEN. No, sir.

MR. TAVENNER. Or have you registered in the Communist Party at any time since 1946?

MR. LARSEN. Not unless—I am sure that I registered in 1945, in the fall or summer when that convention was held. Now that registration card, I assume, would run over until probably the following year. But that would be the last one.

MR. TAVENNER. There was no other?

MR. LARSEN. No.

MR. TAVENNER. Did you engage in any Communist Party activities, to your knowledge, after January 1, 1946?

MR. LARSEN. What do you mean by Communist Party activities?

MR. TAVENNER. Did you participate in any meeting or did you carry out any directive of the Communist Party? Did you engage in any mission of the Communist Party within your labor union or any other place?

MR. LARSEN. I would say "No."

MR. TAVENNER. You are uncertain?

MR. LARSEN. No; I don't think I am uncertain.

I might further state that I have never attended a school or a class of the Communist Party in my life.

MR. TAVENNER. Do you categorically deny that you conferred with Barbara Hartle on Communist Party matters after July 1950?

MR. LARSEN. To the best of my recollection, I would have to say "No," unless something is further shown me, because I have no recollection of ever meeting Barbara Hartle in 1950.

MR. TAVENNER. You are answering the question in two ways: you are saying, to the best of your recollection, and that you did not do it. Which do you mean—you did not do it, categorically, or you just don't recall? Which is it—you categorically deny it or you state you do not remember? Which view are we to obtain from your testimony?

If I haven't made the question plain, I will ask it over again.

(At this point Mr. Walthew conferred with Mr. Larsen.)

MR. LARSEN. I will have to deny that I ever met with her.

MR. TAVENNER. You categorically deny that you ever engaged in a conference with her after July 1950, in regard to Communist Party matters; is that correct?

MR. LARSEN. That is correct.

MR. JACKSON. Or any other matters?

MR. LARSEN. I think that is correct. I may have seen her sometime. I would have to check dates, as far as meeting her on the street or some place.

MR. JACKSON. I am distinguishing between a chance meeting on the street and a frequent meeting between the two of you and, let us say,

the meeting that is described in the automobile or a meeting in which she and other Communist functionaries might have been present; I am ruling out the possibility of passing each other on the street when I refer to a meeting.

Mr. LARSEN. And of course the Smith Act trial should be taken into consideration there, too.

Mr. JACKSON. Did you meet with Mrs. Hartle in the sense that you held a meeting?

Mr. LARSEN. No, but we did—we were sitting there together, so I don't want that construed—

Mr. JACKSON. I have reference to a meeting outside the courtroom. I am referring specifically to such a meeting as was described.

Mr. LARSEN. No.

Mr. JACKSON. You may proceed, counsel.

Mr. TAVENNER. Did I understand you to say that you signed the Taft-Hartley affidavit the second time but did not the first time that there was an occasion to consider the matter?

Mr. LARSEN. Now in 1947, the fall of 1947, I resigned as an international officer, because I only had about 6 weeks left to go in office. I wasn't running for reelection. It was after returning to district 2 here in Seattle.

Mr. TAVENNER. Just a moment. Why didn't you run for reelection?

Mr. LARSEN. Well, it is one of those—

Mr. TAVENNER. Just let me ask you this question. Did the requirement that you must sign an affidavit that you were not a member of the Communist Party have anything to do with your decision not to become a candidate?

Mr. LARSEN. No, sir; because we had to—we were selecting and nominating officers prior to the time the decision was made as to whether they were going to comply or not, so that had nothing to do with it; but it was after my return to Seattle—district 2 still did not comply at that time. And, as I recall, it was August 3, 1951.

Mr. TAVENNER. Mr. Chairman, I do not believe I have any other questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. During the time that you were leader of the local or head of the district of the union, did the Communist members of the union ever call a caucus before the regular union meeting to determine what they were going to do in the union meeting?

Mr. LARSEN. Not to my knowledge, Congressman. There were always caucuses at the convention—any number of caucuses.

Mr. DOYLE. Yes, I understand that. We have great volumes of evidence of the fact that over the Nation the Communist members of organized labor—if they were numerous enough at all, or even if they weren't very numerous—would gather again and pre-caucus, so as to try to go into union meetings and control them, in order to have control without the Communist members ever revealing that or that they were Communists.

My question is very simple and direct. It doesn't refer to conventions at all; it refers to ordinary local meetings, of which you were head of the union at the time you were a Communist, as I understand your evidence. Now isn't it a fact that at the time you were Communist head of the union that you participated in Communist Party

caucuses ahead of union meetings and then went into the union meetings as a Communist and advocated action on resolutions which had been secretly acted upon by you and other Communists in that union?

Mr. LARSEN. No, sir, that is not correct. I must admit that there were occasions when I and the top leadership of the Communist Party had met and discussed certain issues we felt beneficial to the union and went before a caucus of the union after we had gotten there. That was my method of work during that period.

Mr. DOYLE. I don't feel that you are answering this question directly. I am inclined to say that I understand your answer to be that you and the other Communist officers of the union, without any of the non-Communists being present, had conferences before union meetings.

Mr. LARSEN. No, sir, I did not say that, sir.

Mr. DOYLE. Then I want to stand corrected.

Mr. LARSEN. No.

Mr. DOYLE. Who did confer about what the union was to do before the union meeting? When you Communists met to decide what the union was going to do, did you have non-Communist officers of the union present with you at all times?

Mr. LARSEN. First of all, it is customary in any union or any organization—as president of the district council I would consult with the other officers in the district, who jointly went with me to a convention or executive board—whichever it may be—and there we would make our recommendations.

Mr. JACKSON. Will the gentleman yield at that point?

Mr. DOYLE. Yes.

Mr. JACKSON. It was also customary in the unions in which Communists had succeeded in electing officers or members of boards—and again I will say that this is not a statement picked out of thin air but a statement that has been so thoroughly documented that there can be no other conclusion drawn—but that those Communist members of the union did meet before general meetings or board meetings or meetings of the officers to determine upon a course of action which was to be followed in the general meeting which was to follow. And I think the question, as I understand Mr. Doyle's question is—Did that occur with respect to the Communist Party members who were officers of this union? Did they prepare in advance an agenda or certain policies which were to be pursued in the general meeting?

Mr. DOYLE. May I supplement your question, Mr. Chairman?

Didn't they do that even once in awhile in your union?

Mr. LARSEN. What others did I can't verify. I am talking now about my own knowledge.

Mr. DOYLE. That is right.

Mr. LARSEN. I stated that I admit that I met with officers of the Communist Party and discussed issues we felt should be raised, and I went before the executive board.

Now others may have had caucuses, which I can't prove. I am telling about my own relationship. Now they may have held them, as you say, but my report was made directly to the executive board.

Mr. DOYLE. Apparently yours was a different kind of caucus. When you were a top Communist, according to your own statement at the same time you were the labor union leader. I want to compliment you. Apparently, you were the one-man caucus for your union. I think that is very complimentary for you, that they didn't have to

call a number of you together; the top Communist leaders were satisfied if you okayed it.

Mr. LARSEN. I don't know whether that is a compliment or not.

Mr. DOYLE. It shows that the extent to which you were able to control your union.

Mr. LARSEN. I must say this, in all fairness to myself, again: that my recommendations were something that was not verbal; they were in writing. And the committee is welcome to go over every single one of them, which are available in writing, verbatim.

Mr. DOYLE. Did those recommendations grow out of the meeting with the top functionaries or were they influenced in any way by the suggestions of the Communist Party?

Mr. LARSEN. Some I would say were; others were not.

I have always had a very independent position and I have been in disagreement with everybody in the union and out of the union, which is a matter of public record.

Mr. DOYLE. Evidently. I compliment you on the evidence of your leadership and I hope now that you are out of the Communist Party—evidently because of a major disagreement with its principles—you will be just as active, Mr. Larsen, against the principles of the Communist Party as you were for them at one time. I want to urge you to be very vigorous against them.

Mr. JACKSON. Do you have anything further, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. WALTHER. Could I make just one very short statement?

Mr. JACKSON. I will excuse the witness first.

The witness is excused from further attendance under the subpoena. (Witness was excused.)

Mr. JACKSON. You may proceed.

Mr. WALTHER. In line with what the Congressman has said, may I say sincerely that I think Mr. Larsen, although he thought he was, never really, sincerely was a Communist?

Mr. JACKSON. Thank you.

Call your next witness.

Mr. TAVENNER. Mr. Merwin Cole.

Mr. JACKSON. Raise your right hand, sir.

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. COLE. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF MERWIN L. COLE

Mr. COLE. Merwin L. Cole.

Mr. TAVENNER. It is noted that you are not accompanied by counsel. As the committee has announced frequently, you have a right to consult counsel at any time you may desire.

When and where were you born, Mr. Cole?

Mr. COLE. 1913 in Seattle.

Mr. TAVENNER. Do you now reside in Seattle?

Mr. COLE. I do.

Mr. TAVENNER. What is your occupation?

Mr. COLE. I am a lumber salesman in a retail yard.

Mr. TAVENNER. You have been identified during the course of the hearings as a person known to Mrs. Hartle as having been a member of the Communist Party. I want to give you an opportunity to either deny or affirm that information. If you affirm it and state that it is correct, I will have other questions to ask you about your knowledge of Communist Party activities, so you may proceed to tell the committee whether or not that was true—the identification.

Mr. COLE. Are you asking a question at this time?

Mr. TAVENNER. Yes, you may consider it a question.

Mr. COLE. My answer to that, sir, is that under article I of the Bill of Rights, and article V, I may and do refuse to make an answer which constitutes giving evidence against myself.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. COLE. I refuse to answer that question, giving the same answer as before, for the same reasons.

Mr. TAVENNER. Have you at any time been a member of the Communist Party?

Mr. COLE. I refuse to answer that question, using precisely the same language and the same reasons.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Is there any reason why the witness should not be excused?

Mr. TAVENNER. No, sir.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Nels Spencer Ekroth.

Mr. JACKSON. Will you raise your right hand, sir, and be sworn?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. EKROTH. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF NELS SPENCER EKROTH, ACCOMPANIED BY COUNSEL, SARA H. LESSER

Mr. EKROTH. Nels Spencer Ekroth—E-k-r-o-t-h.

Mr. TAVENNER. Will counsel please identify herself for the record?

Miss LESSER. I am Sara H. Lesser of the Seattle bar.

Mr. TAVENNER. Where do you live, Mr. Ekroth?

Mr. EKROTH. I reside in Seattle.

Mr. TAVENNER. What is your occupation?

(At this point Mr. Ekroth conferred with Miss Lesser.)

Mr. EKROTH. I decline to answer that question under the provisions of the first and fifth amendment.

Mr. TAVENNER. You were identified as having been a member of the Communist Party by Mrs. Hartle. Was she correct in her identification of you or not?

(At this point Mr. Ekroth conferred with Miss Lesser.)

Mr. EKROTH. I will refuse to answer on the same grounds.

Mr. TAVENNER. Are you now a member of the Communist Party?

Mr. EKROTH. I will refuse to answer—the same grounds.

Mr. TAVENNER. Have you been a member of the Communist Party at any time?

Mr. EKROTH. I will refuse to answer on the same grounds.

Mr. TAVENNER. I have no further questions.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. The witness by chewing gum makes it hard for me to try to understand him. Will you desist from chewing gum just for a minute, please, while I ask you a question or two?

Are you a man of family?

(At this point Mr. Ekroth conferred with Miss Lesser.)

Mr. EKROTH. Will you clarify that question as to the respect of children?

Mr. DOYLE. I was going to just ask you if you were a married man and had a family.

How old a man are you?

Mr. EKROTH. Thirty-six—or thirty-five going on thirty-six.

Mr. DOYLE. Well, congratulations.

We assume that you are a married man with a family, and you are a young man. Now I am not inferring anything because you have pleaded the constitutional privilege; that is your privilege—one that we have in this country—and that is all right, of course, when people do it in good faith, and there is no inference of bad faith when a person pleads it. But let me urge you, if you are in the Communist conspiracy, get out of it. Don't continue in any outfit where you have to plead your constitutional privilege to avoid incriminating yourself. I want to urge you to get out of it and get the other young fellows out of it. Why should a man of your age have to come into a congressional committee and have to plead the constitutional privilege in order to avoid telling facts that might incriminate him? I wish you would think it over pretty seriously and get out of this outfit where you have to plead the constitutional privilege to avoid telling facts that might hurt you in any way. A man of your age owes your country something.

That is all I have to say.

Mr. JACKSON. Do you have anything further, Mr. Counsel?

Mr. TAVENNER. No, sir.

Mr. JACKSON. Very well. The witness is excused from further attendance under the subpoena.

(Witness was excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Laura Wilkins.

Mr. JACKSON. Will you raise your right hand, please?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Miss WILKINS. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please?

TESTIMONY OF LAURA WILKINS, ACCOMPANIED BY COUNSEL, C. T. HATTEN

Miss WILKINS. Laura Wilkins, W-i-l-k-i-n-s.

Mr. TAVENNER. Will counsel please identify himself for the record?

Mr. HATTEN. Yes. I am C. T. Hatten, member of the Washington State bar.

Mr. TAVENNER. Testimony has been received by the committee, in which it was said that you were dues secretary of the waterfront section of the Communist Party of King County. Were you dues secretary of the Communist Party?

(At this point Miss Wilkins conferred with Mr. Hatten.)

Miss WILKINS. I would like to invoke one of the few privileges that I, as a Negro woman, still have in declining to answer any questions that might tend to make me testify against myself.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss WILKINS. And that amendment is the fifth.

Mr. TAVENNER. Are you now a member of the Communist Party?

Miss WILKINS. The same answer for the same reasons.

Mr. TAVENNER. I have no further questions, Mr. Chairman.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. May I say to this young lady that every member of this committee has heard some of the top Negro former Communists in this country testify under oath that the Communist Party has been merely using the wonderful Negro Americans as tools, as a means for conspiratorial ends? If you didn't know that before, I am telling you now. Why don't you look into it? You would have known that if you had been in this room the last few days and heard Mrs. Hartle and some of the others testify about that. You are a young woman and I want to urge you—if you haven't looked into it yet and had your eyes opened, look into it now and get out of this outfit where you have to plead a constitutional amendment.

Miss WILKINS. Mr. Doyle, you have your opinions and I have mine.

Mr. DOYLE. I know I have my opinions and you have yours, because you stated them, and you pleaded the constitutional privilege. But I want to urge you to get out of an outfit where you have to plead the constitutional privilege in order to escape incriminating yourself.

Miss WILKINS. That is your assumption, sir.

Mr. DOYLE. That isn't the kind of country that has given you birth.

Miss WILKINS. Nor one that discriminates against me.

Mr. DOYLE. I am glad to hear you say that but our country doesn't discriminate against you because you are a Negro. Some of us happen to be great respecters of Negro Americans—all of the great Negro Americans—and I am referring to men like Dr. Ralph Bunche and some of the rest of the great Negro American leaders. They didn't plead the fifth amendment when they were being looked into recently.

Mr. JACKSON. I will say to the witness—if you took this attitude before the great Soviet courts of justice, you would probably be shot—so it is just as well that you are before the House committee, irrespective of your race.

Miss WILKINS. That is also by assumption, sir.

Mr. JACKSON. No, it is not assumption. The records of the Soviet concentration camps speak for themselves. I think you are very fortunate to be in America.

Is there anything further?

Mr. TAVENNER. No, Mr. Chairman.

Mr. JACKSON. The witness is excused from further attendance under the subpoena.

(Witness excused.)

Mr. JACKSON. Call your next witness.

Mr. TAVENNER. Carl Backlund.

Mr. JACKSON. Would you stand and be sworn, please?

In the testimony that you are about to give before this subcommittee, do you solemnly swear that you will tell the truth, the whole truth, and nothing but the truth, so help you God?

Mr. BACKLUND. I do.

Mr. JACKSON. Be seated, please.

Mr. TAVENNER. What is your name, please, sir?

TESTIMONY OF CARL BACKLUND

Mr. BACKLUND. Carl Backlund.

Mr. TAVENNER. Mr. Backlund, if you have heard any part of these proceedings, you will know that you are entitled to confer with counsel at any time you may desire.

Mr. BACKLUND. Thank you.

Mr. TAVENNER. Now when and where were you born, Mr. Backlund?

Mr. BACKLUND. I was born in Chicago, December 16, 1913.

Mr. TAVENNER. Do you now reside in Seattle?

Mr. BACKLUND. That is correct.

Mr. TAVENNER. How long have you lived in Seattle?

Mr. BACKLUND. Since 1925, except for a short period—3 years in the Navy, 1942 to 1945.

Mr. TAVENNER. What is your occupation?

Mr. BACKLUND. I was a shipscaler, casual longshoreman, warehouseman, and now a carpenter.

Mr. TAVENNER. During the course of the day you were identified by Mrs. Hartle as having been a member of the Communist Party, and at the time that you were so identified, you announced to the committee that you would tell the staff of the committee about your Communist Party activities, is that correct?

Mr. BACKLUND. That is correct, sir.

Mr. TAVENNER. And that you would fully cooperate with the committee—

Mr. BACKLUND. To the best of my ability.

Mr. TAVENNER. In giving it all the information within your knowledge?

Mr. BACKLUND. That is true.

Mr. TAVENNER. Because of the lateness of the hour, I will not be able to make a matter of record in this opening hearing the extent of your knowledge of Communist Party activities. We will have to confine our testimony here to just a small part of what I know your knowledge to be.

I will ask you for a few general answers and then we will ask you in detail about the experiences you have had as an underground member of the Communist Party in Seattle.

When did you become a member of the Communist Party?

Mr. BACKLUND. In 1937. I dropped out in 1939, rejoined in 1947 and was suspended or expelled the latter part of 1951.

Mr. TAVENNER. In what branches or groups of the Communist Party were you active?

Mr. BACKLUND. In the shipscalers' branch in 1937 to 1939, in the warehouse branch from—well, first of all from 1947 in the longshore industrial group and later the warehouse branch of the Communist Party.

Mr. TAVENNER. Would you be willing to testify in executive session as to your knowledge of the details of your Communist Party activities so that it may be included as part of your testimony?

Mr. BACKLUND. Yes, sir.

Mr. TAVENNER. What led up to your leaving the Communist Party?

Mr. BACKLUND. In 1951, you are referring to?

Mr. TAVENNER. Yes.

Mr. BACKLUND. In June of 1951 I was visited by Clayton Van Lydegraf and Paul Bowen and asked to leave the city because I may be arrested.

Mr. TAVENNER. You were a member of the Communist Party force at that time?

Mr. BACKLUND. Yes, sir. They came to my home rather late at night in a very secretive manner and asked if I could meet with them in the most secluded part of the house. We met in the bedroom, and for the big part of our conversation or conference we used a tablet much the same as a canasta scoreboard, on which you could write what you wanted to say and just lift the panel and it would be erased. And there I was asked to be prepared to leave within a week, to assume a new name, a new social security card, and to proceed to Sedro-Woolley and obtain employment in the woods as a logger.

Mr. TAVENNER. Now you say this was carried on in a very secretive way?

Mr. BACKLUND. Yes, sir—in such a manner that I became frightened; I mean it tended to scare me. I couldn't think clearly because of the way they conducted themselves, and because up until that time I wasn't afraid to announce to the people with whom I worked, and son, that I was a Communist. I believed that if I was one, I should say so, and did, but with this kind of meeting, and so on, I thought that I would be arrested if I remained.

Mr. TAVENNER. And they so told you?

Mr. BACKLUND. That is correct. I asked about my wife who, by the way, was in Chicago attending a Progressive Party convention, and they said they would allow me to stay long enough—that is, my former wife—they would allow me to stay in Seattle long enough until she returned and I could break the news to her.

I also stated the condition of my health. My leg, because of a circulatory trouble that I had, was in such shape that I could hardly walk, that is, more than 2 or 3 blocks without it cramping up. And this made no difference to them; to the woods I was to go, and that was where I went.

My wife returned shortly after, within a week—my former wife, that is—and I discussed with her this meeting that we had held at my home, in the bedroom, and she was shocked at that time and demanded that we hold another meeting with Van Lydegraf and Paul Bowen. We did manage to meet Paul Bowen in a car. We met at

Widron, a beach here in Seattle, and discussed the problem of my health and the marriage, and so on.

The choice that he gave us was for me to leave or to remain here in Seattle and be arrested, and we wouldn't be parted in way according to him.

I proceeded to Sedro-Woolley and met with Giles Evans there and he informed me—and, by the way, with all this happening in the short order that it did, I was able to split some \$40 with my former wife, so I had \$20 and proceeded to Sedro-Woolley looking for employment. I was informed by Evans that in order to work in the woods you had to have cord boots and that they run up to at least \$20.

Mr. TAVENNER. Mr. Chairman, the man by the name of Evans was identified by Mrs. Hartle today as a member of the Communist Party.

Mr. JACKSON. Very well.

Mr. BACKLUND. It was a fire season at that time; the woods was down because of the danger of fire, and I was fortunate enough, in looking around, that I did find some extra work and made enough money to purchase boots, and went to work for days in the woods.

Because of excruciating pain in my left leg, I could no longer continue working there and went into the hospital at Sedro-Woolley, taking advantage of the IWA health plan, and gained a month's respite from this pain. And during my stay there it was made known to me that the FBI had obtained the assumed name that I was using—that name was Harold Johnson—and that I was to change my name and get out of the hospital as soon as possible and take off for Darrington, Wash., and continue working in the woods there.

After a month I recovered from the operation which was supposed to have helped my leg and didn't. I returned to Darrington, but I realized that I could not go through the hills and the brush of a logging operation. I consequently got a job on a farm and again met Giles Evans and told him this, and he insisted that I quit that job on the farm and go into the woods.

I did quit the job on the farm. I returned to Everett. I realized that I simply could not, because of the pain that my left leg was giving me, work in the woods, and got a job in the sawmill there. I felt that this would satisfy the Communist Party, that I was now working in the lumber industry.

Mr. TAVENNER. Were you using an assumed name?

Mr. BACKLUND. Now I had gotten another social-security name; I was using the name Robert Steel.

Mr. JACKSON. On that point, the matter of social-security cards has been mentioned several times during the course of these hearings, and it appears to me certainly that this matter of getting a new card under a new name every few days is a matter upon which this committee might very well make a recommendation for remedial legislation.

What is the process of getting a card?

Mr. BACKLUND. The first card, I simply went down to the Federal building at First and Marion here and applied for a new card. In a matter of a couple of weeks I had it.

Mr. JACKSON. Are you fingerprinted or anything of that sort in obtaining a social-security card?

Mr. BACKLUND. To the best of my recollection, no.

Mr. JACKSON. You merely go in, give a name, and make application for a social-security card. Is that the process?

Mr. BACKLUND. That is correct. As a matter of fact, the social-security card that I obtained under the name of John Steel I didn't apply for myself.

Mr. JACKSON. Was it applied for by someone else?

Mr. BACKLUND. It was delivered to me.

Mr. DOYLE. Who delivered it to you?

Mr. BACKLUND. Giles Evans.

Mr. DOYLE. Did he sign your name or your false name to an application of any kind?

Mr. BACKLUND. Someone did, sir.

Mr. DOYLE. Did you authorize anyone to sign a false name to an application for social security?

Mr. BACKLUND. Only in the sense that I accepted it.

Mr. JACKSON. But you had no prior knowledge of the fact that this application had been signed or that a card had been issued until the card was handed to you?

Mr. BACKLUND. That is correct.

Mr. DOYLE. Who gave you the false name, the second time? Who told you what name to take?

Mr. BACKLUND. I left the hospital one night while I was at Sedro-Woolley and went over to Evans' home and, when he told me that the first name would probably be of no value to me any longer, we discussed very shortly what name I would use again and we arrived at Robert Steel.

Mr. TAVENNER. Will you proceed to tell the committee, please, what occurred after you began to use your second name and the card?

Mr. BACKLUND. I obtained employment in Everett in a mill and felt that this would satisfy the Communist Party, that I was now working in the lumber industry, because this was where they seemed to want me; and, to my surprise, I was told to quit that and go into the woods.

Mr. DOYLE. Who told you?

Mr. BACKLUND. Giles Evans. By this time I begin to wonder what the Communist Party was trying to do to me or prove to me and was beginning to have some very grave doubts.

Mr. TAVENNER. Let me ask you this: Up until that time had you been in contact with any other members of the Communist Party after you had changed your residence?

Mr. BACKLUND. When I met Giles Evans, he told me that there would be a committee of three that would meet in and around Everett—a Mr. Verl Hemeke and a Mr. Algar Starr—I believe—I am not sure of the first name.

Mr. TAVENNER. Was this the same Mr. Hemeke who was on the witness stand here this afternoon?

Mr. BACKLUND. Yes, sir.

Mr. TAVENNER. He and Mr. Evans and you were to be a committee of three?

Mr. BACKLUND. Mr. Starr, Mr. Hemeke, myself.

Mr. TAVENNER. Mr. Starr?

Mr. BACKLUND. A member of the IWA, who worked with the warehouser mill.

Mr. TAVENNER. Did you see Mr. Starr here this afternoon?

Mr. BACKLUND. I haven't seen him here, no.

Mr. TAVENNER. Do you know Mr. Starr's first name?

Mr. BACKLUND. I always had trouble—I think it was Agar or Algar Starr.

Mr. TAVENNER. That is very close to it. It is Algot, A-l-g-o-t. Proceed.

Mr. BACKLUND. We were to form the region committee for the Northwest—the three of us, Hemeke, myself, and Starr.

Mr. TAVENNER. That was to function underground?

Mr. BACKLUND. To function underground. And in that region there were section clubs at Bellingham, Sedro-Woolley and Anacortes, Stanwood, Everett, and Salkum. At that time only three people met at one time in the Communist Party. This was after 1951.

Giles Evans acted as a courier. He carried information to me, which I in turn would carry to the other two on the committee; and, as I got it, he was getting, that is, Giles Evans was getting his information from the State committee, probably in Seattle, and he would meet with me and then in turn I would meet with the committee, and that was the way. Then those two other fellows on the committee would meet with various section leaders in those sections I have already mentioned.

And we were attempting to set up an underground organization in the area. I believe because of the cumbersome method in which we were working, it was one of the reasons why we were having a tough time organizing it. We didn't meet with too much success.

Anyway, getting back to the story about working in the mill, I refused to quit the job in the mill and stayed there until the mill shut down. And during the course of the several months that had gone by I had come down to Seattle and met with my former wife a couple of times and discussed with her the problem of my health. She seemed bewildered as to what to do.

Mr. TAVENNER. She was your wife at that time, was she not?

Mr. BACKLUND. That is correct—former—but stated to go back and try to get by some way or other, which I did.

I had met her several times in Seattle, and the last time that I met her, the Communist Party—and I was meeting her late at night, and so on, so that the Communist Party would not be aware of it. The last time that I met her someone in the party observed that meeting and I was called on the carpet for it.

Now by this time it was November and I was told that I was taken out of all activity and sent to Anacortes, the mill town—and if anybody is acquainted with Anacortes, there isn't too much employment there in the winter months—but there I was told to go and seek employment, and under the new circumstances I no longer had the advantages of social security, so it was get by as best I could.

I manged for a period of several months to get by that way, but in the meantime my leg was getting worse and worse and, finally, I became thoroughly disgusted with the treatment that I was receiving and left and returned to my mother's home in Edmonds.

Being a veteran, I went to the veterans' hospital. The doctors looked me over there and I received a major operation, one that is only 5 years old, and fortunately for me I got there just in time or I would have lost a leg.

Since that time I have made it a point to stay completely away from the party. I agreed with my former wife to a divorce, because we could no longer see eye to eye, and sought employment as a car-

penter—have made a complete ideological break from the party—I think from politics for that matter, sir. Have testified before the grand jury here in Seattle, that is, the Smith Act trial, and have discussed with all of my acquaintances the experiences that I had, particularly those from June 1951, and on, in the party, hoping that these people would see, as I had seen, how cruel the Communist Party can be.

Mr. TAVENNER. Did you report these facts to the Federal Bureau of Investigation?

Mr. BACKLUND. That is correct, sir.

Mr. JACKSON. I believe that you were identified by Mrs. Hartle. Were the details of her testimony, as they related to you, accurate to the best of your knowledge?

Mr. BACKLUND. To the best of my knowledge, yes, sir.

Mr. JACKSON. Is it my further understanding that the witness has made himself available for further interrogation in executive session?

Mr. TAVENNER. Yes, sir.

Mr. JACKSON. Do you have anything more at this time, Mr. Counsel?

Mr. TAVENNER. I think not, in view of the lateness of the hour.

Mr. JACKSON. Mr. Doyle?

Mr. DOYLE. I wish to compliment the gentleman on realizing the mess he was in and correcting that and coming forward to help the Government further clean up this conspiracy.

Mr. BACKLUND. Thank you.

Mr. DOYLE. Thanks for your cooperation.

Mr. JACKSON. I would like to join with my distinguished colleague in extending the thanks of the committee for the testimony at this time and for your willingness to further appear to give additional testimony of your own knowledge of the Communist Party.

If there is nothing further, the witness is excused.

(Witness excused.)

Mr. JACKSON. In conclusion, it should be said that the success of any hearing such as the one being concluded today is dependent in large part upon the element of cooperation furnished to the Congress and the committee by local agencies of government, press, radio and television, and the public generally.

In no hearing held anywhere across the United States have all parties concerned joined together in a finer display of cooperative effort than has been the case here in Seattle. The thanks of the committee are due to the Seattle Police Force, under H. J. Lawrence, chief of police, whose splendid assistance in furnishing security and transportation is greatly appreciated.

V. L. Kramer, chief of detectives, and J. D. Porter, chief of patrol, have both gone to great lengths to be helpful to the committee and staff. Detective John C. Hoberg and Officer Charles B. Seely, who have attended the committee on permanent detail during the week, have been efficient and courteous in the discharge of their assigned duties. Detective Sergeant G. T. Belland has been of great assistance in many ways.

Sheriff H. S. Callahan of the King County Sheriff's Office and United States Marshal W. B. Parsons, both have assisted the committee in many ways. Without the helpful spirit of cooperation shown by the county commissioners, it would have been impossible to con-

duct the hearings here in this fine room. The committee extends its deep appreciation to Commissioners Sears, McLean, and Gibbs, not only for their kindness in making this room available, but for their tolerance in living with the near-bedlam that has been the order of the day in their own offices and the departmental office immediately in the rear of the hearing room. Not the least of the scores of little courtesies extended the committee and staff has been the coffee sent down from the county jail for the committee and staff during the recesses.

Press, radio, and television coverage of the hearings has not been excelled in any other city. The conduct of the representatives of all three media here in the room during the week has been marked by a high degree of cooperation. The committee wishes to express its thanks to all who have covered the week-long hearings.

In the final analysis, the success or failure of public hearings depends upon the attitude taken by the public. Disorder in the hearing room, unruly conduct on the part of the spectators, loud or unnecessary conversation all tend to render more difficult the orderly and dignified conduct of the hearing. The committee notes with satisfaction that the physical audience in the hearing room during the week has been attentive and courteous in every respect.

The watching and listening audience throughout the city and adjacent areas have deluged the committee with expressions of support and approval. Our task has been made much easier by the knowledge of such general and widespread support from those organizations and individuals who have communicated expressions of support and encouragement to the committee on the general conduct of the committee.

I might say parenthetically that the next time you hear screams of rage and pain from the Communists and from the fellow sympathizers of the leftwing generally that somebody is being placed on the rack and tortured by the committee, I think that the people of Seattle who have had an opportunity to view the hearings will have some measure by which they can make up their own minds about that.

The nature of the testimony adduced during the week of hearings can lead the committee to one inescapable conclusion, and that is the existence of a widespread Communist infiltration into almost every activity in this area. The actual extent of that infiltration cannot accurately be determined by the facts presently in the record of the proceedings, but on the basis of similar hearings previously conducted by the committee in other great cities of the Nation it can be stated on considerable authority that the total membership of the Communist Party in this area probably numbered several thousands of persons. That figure has been significantly reduced to this time.

However—and the committee wishes to stress this point—the actual numerical strength of the Communist conspiracy is not the yardstick by which its power to inflict irreparable damage on our institutions and our defenses can or should be measured. A handful of determined Communists in a local labor union can and will destroy democracy in that union if unretarded by the vigilance of the majority of union members.

One Communist faculty member in a school can and will poison the minds and wither the souls of young students if his activities both on and off the campus are not made the subject of constant scrutiny.

The myth that the Communist conspiracy constitutes nothing more than the activities of individuals gathered together for the pursuit of legal political activities has long since been exploded. Those who meet in secret under assumed names for the purpose of fomenting disorder, turmoil, and revolution deserve the name "conspirators."

Arrogance, contempt for and vilification of constituted authority are the unmistakable hallmarks of the conspiracy and of its agents. Under the guise of protecting human rights, this conspiracy in fact seeks to destroy them. Against this organized effort to destroy constitutional government by unconstitutional means must be arrayed all of the forces and weapons available to a free people.

This committee is established by the Congress of the United States and has been cloaked by that body with wide power under Public Law 601. It is one of the weapons in the hands of the American people. Who dulls the edge of that weapon brings joy to the hearts of those whose dedicated task it is to destroy the Constitution of the United States and place human freedom behind barbed wire.

The fifth amendment to the Constitution of the United States is a sacred privilege, oft abused as it has been during the course of these and other hearings. In answer to the many citizens of the Seattle area who have written to the committee relative to the use of the amendment by uncooperative witnesses, the committee can only state again that there is presently no legislative device to meet that misuse; the need for clarifying legislation is clearly apparent. Communist directives lay a charge upon Communists and Communist sympathizers to carry the class struggle into courts and hearing rooms, to remain always on the offensive, and to use whatever devices are necessary to prevent disclosures which might be harmful to the Communist conspiracy.

The evidences of this technique were abundantly made clear during the Medina trial and in subsequent court action stemming from violations of the Smith Act and other antisubversion legislation. Turmoil in courts and hearings replaces decorum in the Communist scheme, and dignity becomes an early casualty to the premeditated tactics of the Communist conspiracy.

Those familiar with the techniques of the Communist Party have had a firsthand opportunity to witness communism in action here in this room for the past 6 days. Committee members and the staff have been maligned and vilified in this very room. The motives and the purposes of the investigation have been misrepresented and sorely distorted. Charges involving the integrity of the Congress of the United States and the elected representatives of the American people have been hurled indiscriminately and venomously by witnesses using every tactic and evasion to cover their alleged activities within the Communist conspiracy.

The committee is confident that these efforts to undermine public confidence in the committee and its work will be as unavailing in the Seattle area as they have proven to be in other cities throughout this country.

To those witnesses who have given the American people of their own experiences in the Communist conspiracy, the committee extends its thanks. Those who have lived through the lie of communism and have come forward to do an American duty as they see that duty should have not only the thanks of the Nation but the sympathetic under-

standing of business associates, employers, and former friends and associates outside of the Communist Party. Scorned and vilified as they are by former associates within the party, these witnesses should find understanding among the vast body of loyal American citizens. They should receive every assistance toward economic, social, and political rehabilitation consistent with the quality of trustworthiness which marked their testimony.

It should be remembered that without the testimony of hundreds of former Communists who have severed their ties with the conspiracy and who have testified fully as to the extent and nature of the activities of the party, there would not today be an ever-expanding volume of knowledge and information in the hands of the American Congress and available to the American people.

Eternal vigilance is indeed the price of liberty. Vigilant action is neither needed nor desirable. The work of tracking down subversion of every type and of insuring the passage of Federal remedial legislation designed to meet the threat against human freedom is a charge which must rest upon duly constituted authority at all levels of government.

Intelligent and loyal citizens armed with facts of subversion and disloyalty can render a signal service to the American people by contacting the Federal Bureau of Investigation or other agencies, the duties of which include investigation and proper evaluation of information.

The question has been asked as to what purpose is served by the disclosure of the names of individuals who may long ago have left the conspiracy and since devoted themselves to home and work in the manner of loyal American citizens. This is a reasonable question and one deserving of a reasonable answer. The testimony of a cooperative witness is not tampered with in any way by this committee or by its staff. That testimony must stand the cruel test imposed by the subsequent appearance before the committee of those who are named. It would be an act of intellectual dishonesty for this committee to add or detract one name from the list of those whom the witness is prepared to identify under oath as having been, within his own knowledge, a member of the conspiracy during the period of the witness' own membership. The identity of an individual having been made in public or executive session, the committee has no alternative but to place that individual in the witness chair at the earliest possible moment.

The decision on the part of a witness as to the nature of his testimony, whether he will cooperate or not, is not within the authority of the committee to rule upon. Every member of the Communist Party, past or present, is or was a small section of a jigsaw puzzle, and each had his role to play. The fact of having left the conspiracy in no way eradicates or erases his knowledge of events that transpired during the membership nor of the role he played. The committee has no way of knowing the status of his membership at present until he is placed under oath and the information is sought to be elicited.

Upon the front of a great public building in Washington, D. C., there are graven on stone the words "The past is prologue." If this is true, and if individuals insure the future by reference to the past, then it is equally true that nations under unremitting attack must look to the past in the preparation of its future defenses. One missing piece

of the vast and forbidding puzzle may well be in the possession of a former and disillusioned member of the conspiracy. The risk attendant on failure to make adequate and comprehensive inquiry at every available source is too great to justify the theory that former Communists should be immune to interrogation. The bank robber, the embezzler or the murderer who leaves the pursuit of crime to take up a quiet existence in a rural community enjoys no immunity for his past activity, and the stake of society involved in the transgressions of those who steal physical properties or money is, while important, as nothing to the activities of those who would enslave the world.

Again on behalf of the House Committee on Un-American Activities and on behalf of my colleagues on the committee, may I express our deep gratitude for the warm and wholehearted welcome which has been accorded us here in the great city of Seattle.

And now the committee will stand in adjournment subject to the call of the Chair.

(Whereupon, at 6 p. m., the hearing was adjourned, subject to the call of the Chair.)

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